

**JOINT LEGISLATIVE
ADMINISTRATIVE PROCEDURE OVERSIGHT
COMMITTEE**



***REPORT TO THE
1999 GENERAL ASSEMBLY
OF NORTH CAROLINA***

2000 REGULAR SESSION

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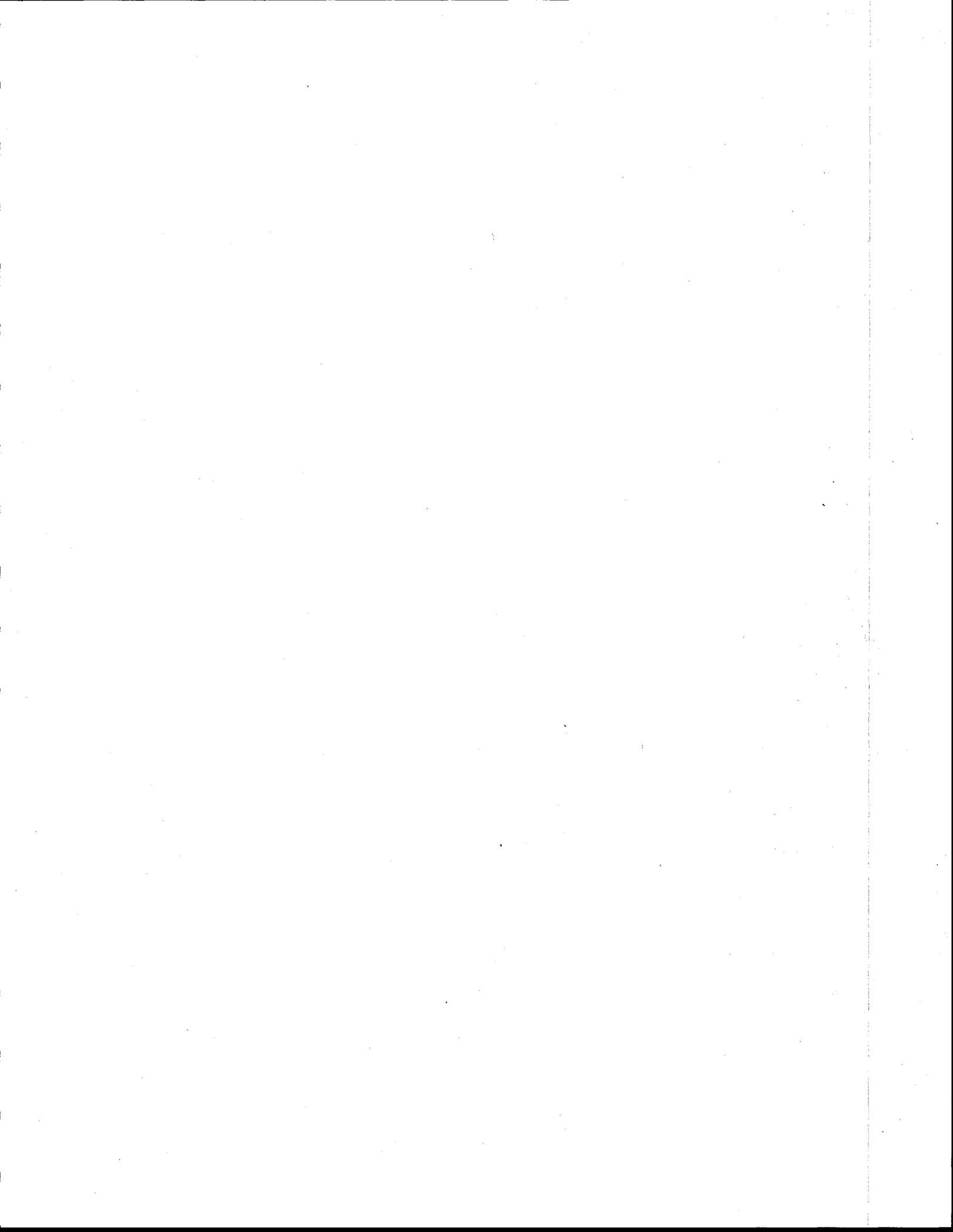
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JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE

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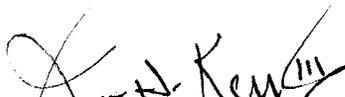
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May 1, 2000

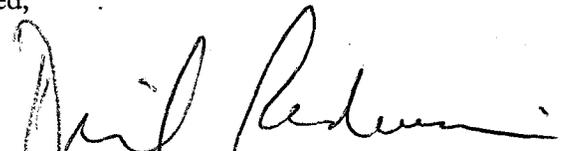
**TO THE MEMBERS OF THE 1999 GENERAL ASSEMBLY
(REGULAR SESSION 2000):**

The Joint Legislative Administrative Procedure Oversight Committee herewith submits to you for your consideration its report pursuant to G.S. 120-70.101(8).

Respectfully submitted,

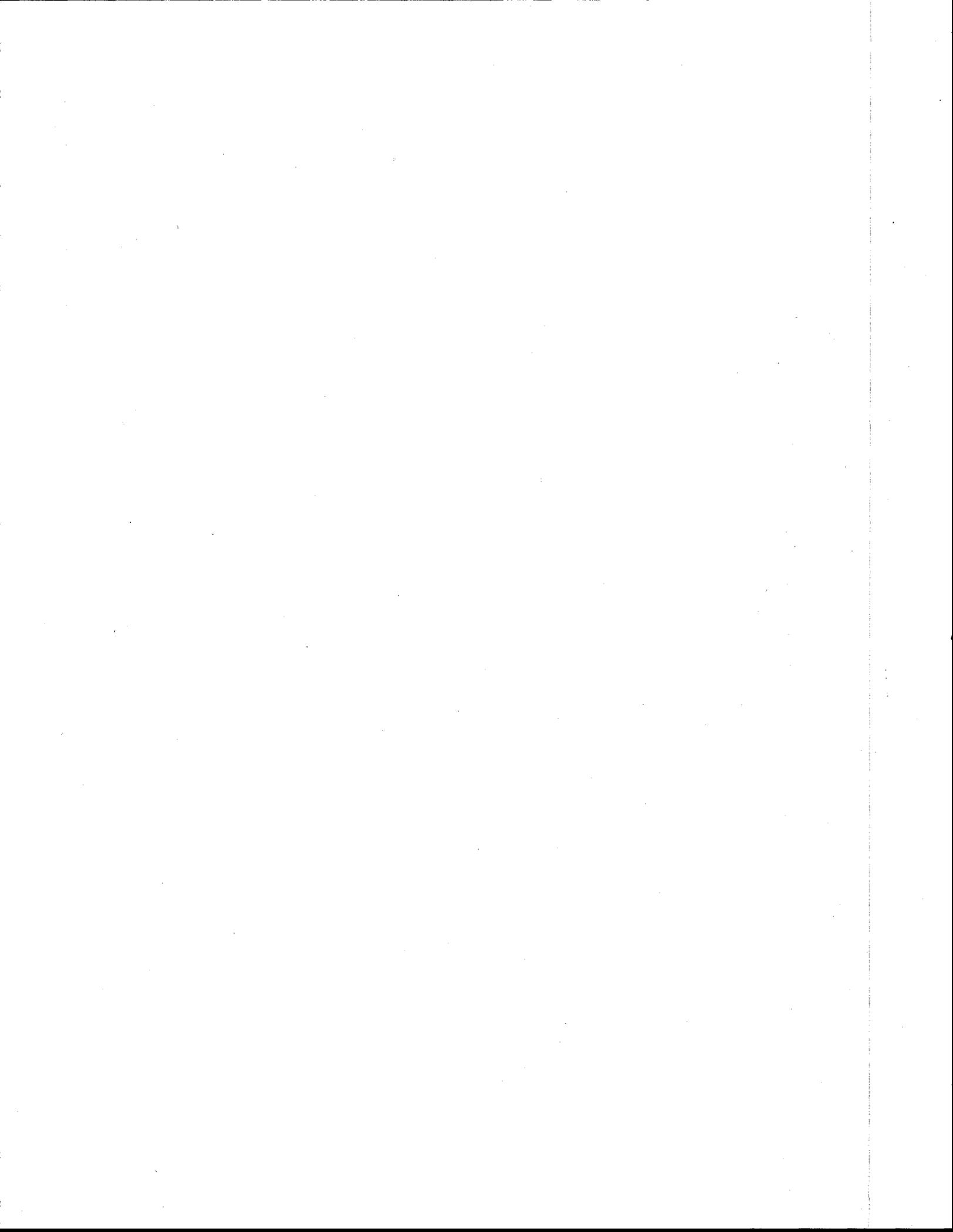


Senator John H. Kerr, III



Representative E. David Redwine

Co-chairs
Joint Legislative Administrative Procedure Oversight Committee



ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE,
JOINT LEGISLATIVE
1999-2000

G.S. 120-70.100

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Sen. Frank W. Ballance, Jr.
Sen. Virginia Foxx
Sen. Oscar N. Harris
Sen. Fletcher L. Hartsell, Jr.
Sen. Brad Miller
Sen. William R. Purcell
Sen. Hugh Webster

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Rep. E. David Redwine, Cochair

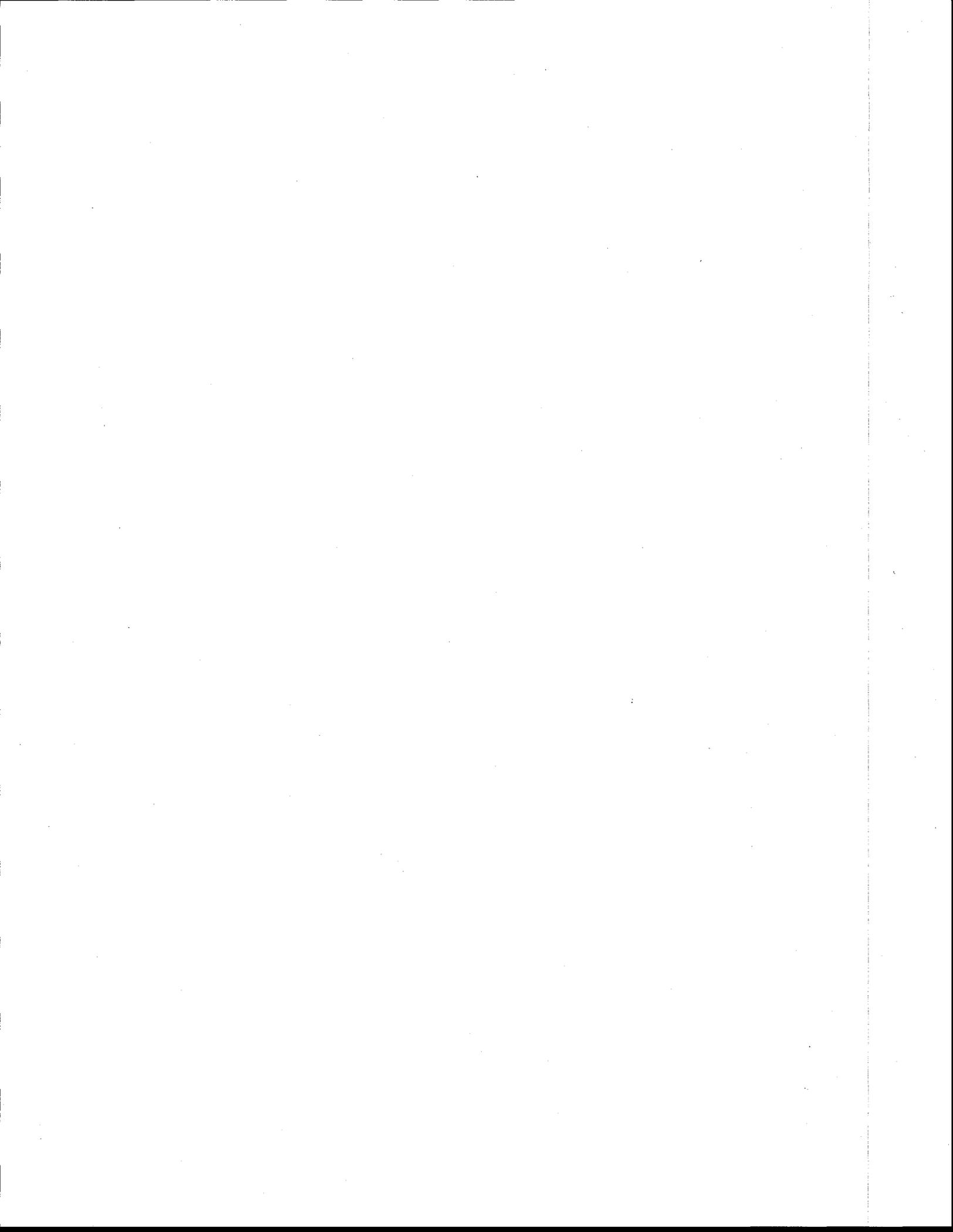
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Rep. Mary L. Jarrell
Rep. W. Eugene McCombs
Rep. Martin L. Nesbitt, Jr.
Rep. Connie Wilson

COMMITTEE STAFF:

Karen Cochrane-Brown, Committee Counsel

Mary Shuping, Committee Staff

Evelyn Hartsell, Committee Clerk



STATUTORY CHARGE

The Joint Legislative Administrative Procedure Oversight Committee was established by Section 27.8(a) of Chapter 507 of the 1995 Session Laws as Article 12K of Chapter 120 of the General Statutes, to serve as the oversight committee on administrative procedure matters in the Legislative Branch of State Government. The Committee consists of sixteen members of the General Assembly, eight members of the Senate appointed by the President Pro Tempore of the Senate and eight members of the House of Representatives appointed by the Speaker of the House. Each of the appointing authorities designates one of the appointees to serve a co-chair. The Committee is co-chaired by Senator John Kerr and Representative David Redwine. A complete list of members is found on page 2.

G.S. 120-70.101 gives the Committee the following powers and duties:

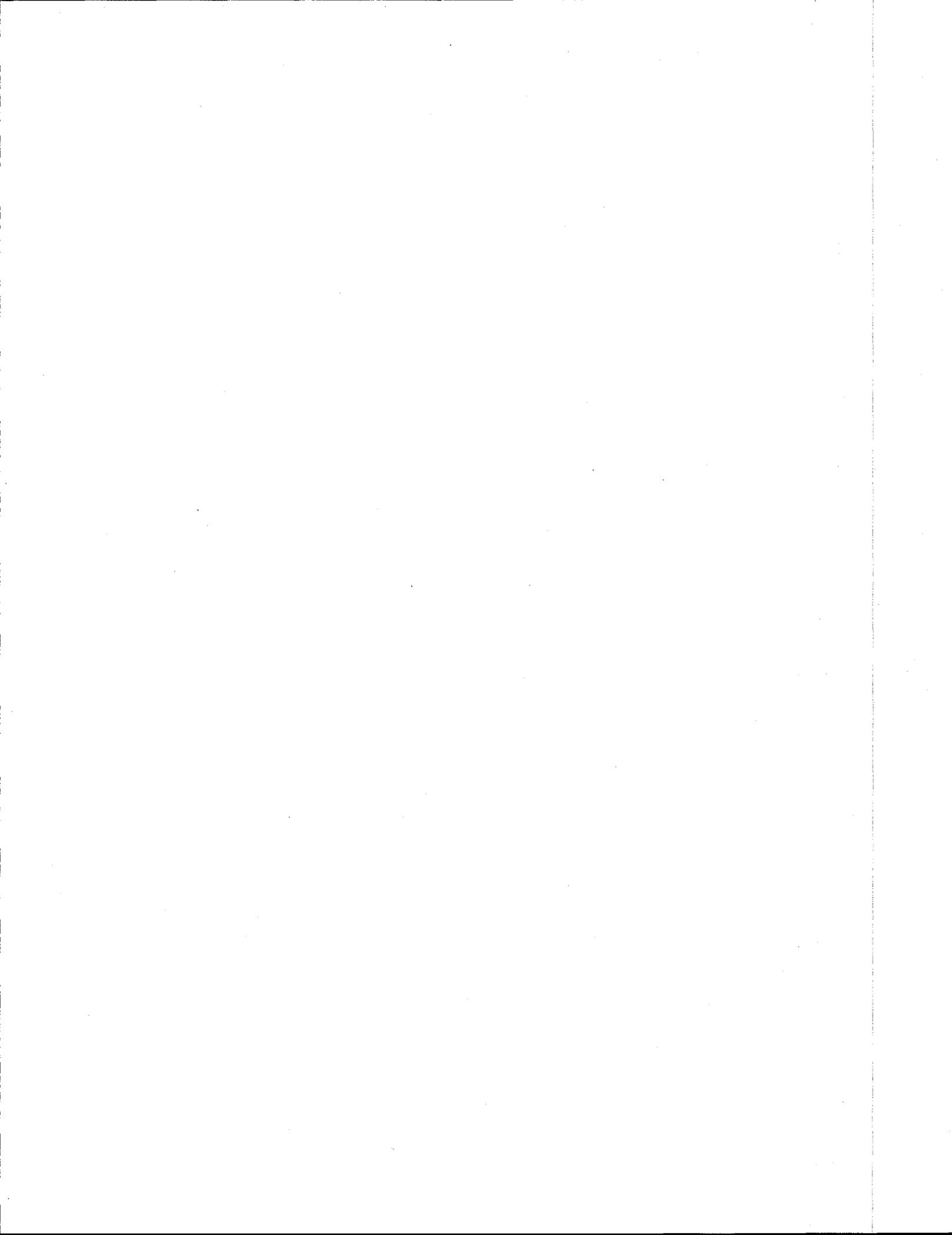
- (1) To review rules to which the Rules Review Commission has objected to determine if statutory changes are needed to enable the agency to fulfill the intent of the General Assembly.
- (2) To receive reports prepared by the Rules Review Commission containing the text and a summary of each rule approved by the Commission.
- (3) To prepare a notebook that contains the administrative rules that have been approved by the Rules Review Commission and reported to the Committee and to notify each member of the General Assembly of the availability of the notebook.
- (4) To review State regulatory programs to determine if the programs overlap, have conflicting goals, or could be simplified and still achieve the purpose of the regulation.
- (5) To review existing rules to determine if the rules are necessary or if the rules can be streamlined.
- (6) To review the rule-making process to determine if the procedures for adopting rules give the public adequate notice of and information about proposed rules.
- (7) To review any other concerns about administrative law to determine if statutory changes are needed.
- (8) To report to the General Assembly from time-to-time concerning the Committee's activities and any recommendations for statutory changes.

A copy of the statute is found in **EXHIBIT A**.



SECTION I

COMMITTEE PROCEEDINGS



COMMITTEE PROCEEDINGS

Meetings. During the 1999-2000 interim, the Committee scheduled six meetings and met four times: November 10, 1999, February 17, 2000, March 16, 2000, and April 20, 2000. Two meetings were canceled. The December 16, 1999 meeting was canceled due to the 1999 Extra Session of the General Assembly, and the January 27, 2000 meeting was canceled due to inclement weather. The report was reviewed and approved at the April 20th meeting.

Orientation Session. An orientation session was held for all members on November 10, 1999. Information was provided on the background and history of the Administrative Procedure Act (APA), along with an overview of the rule-making process. Staff from the Office of Administrative Hearings, the Office of State Budget and Management, and the Rules Review Commission also made presentations concerning their respective roles in the APA process.

APA-Related Legislation – 1999 Regular Session. The Committee was also provided with a legislative report concerning APA-related bills introduced during the 1999 Session. No bills were introduced to disapprove rules pursuant to G.S. 150B-21.1(3)(b), and the Committee had recommended no legislation to the 1999 Session. However, there were several bills introduced that affected the APA process for various agencies. Detailed information on APA-related legislation can be found in **EXHIBIT B**.

Issues. The Committee also examined several issues related to the APA process. The Committee looked in detail at HB 968, Amend Contested Case Procedure, which would transfer final decision-making authority to an administrative law judge for those contested cases conducted under Article 3 of the APA. The Committee also examined exceptions to both the temporary and permanent rule-making processes of the APA. The Committee also examined the rule-making process for the Department of Revenue. Finally, the Committee was presented with information from the Engineers and Land Surveyors Board of Examiners regarding an objection to the Board's rules by the Rules Review Commission. Detailed information on these issues is found under **SECTION II - FINDINGS AND RECOMMENDATIONS** and **SECTION III - LEGISLATIVE PROPOSALS**.

Finally, the Committee was provided with monthly reports from the Rules Review Commission which included reports on the permanent rules approved by the Rules Review Commission that are subject to legislative disapproval during the 2000 Regular Session of the General Assembly. A list of permanent rules approved by the Rules Review Commission for the months of January 1999 – April 2000 and a list of Rules Review Commission objections are found in **EXHIBIT C**.



SECTION II

FINDINGS & RECOMMENDATIONS



Finding and Recommendation #1
TEMPORARY RULE-MAKING PROCEDURES

Background. Typically, agencies may adopt temporary rules only in the following circumstances:

- A serious and unforeseen threat to the public health, safety, or welfare.
- The effective date of a recent act of the General Assembly or the U.S. Congress.
- A recent change in federal or State budgetary policy.
- A federal regulation.
- A court order.

Temporary rules are reviewed by an administrative law judge (ALJ) in the Office of Administrative Hearings (OAH) to ensure that the agency's need for the temporary rule meets at least one of the above-cited criteria. The rule is *not* reviewed for statutory authority, clarity, or necessity. Temporary rules may become effective within one business day. Finally, if an ALJ objects to the temporary rule, the agency may file the temporary rule over the objection.

When agencies adopt temporary rules, they are required to begin the permanent rule-making process. In order for a temporary rule to remain in effect until the permanent rule becomes effective, the agency must submit the permanent rule to the Rules Review Commission within 270 days. Failure to do so results in the expiration of the temporary rule.

Findings. The Committee was presented with information showing a large increase in the number of temporary rules adopted by agencies over the past year. The average number of temporary rules adopted by agencies rose from approximately 235 temporary rules per year for the period 12/92 – 11/98 to 661 temporary rules for the period 12/98 – 11/99. See EXHIBIT D.

The Committee also found that since 1995, numerous agencies have received various types of expanded temporary rule-making authority. Five of these expanded authorities have been codified in the APA, five have been codified in the agencies' substantive statutes, and the remainder are contained in uncodified session law. See EXHIBIT D.

The Committee also identified several general types of exceptions to the temporary rule-making procedures contained in G.S. 150B-21.1(a), including:

- Extending the period of time during which an agency can adopt a temporary rule to implement a recent act of the General Assembly.
- Granting agencies an indefinite period of time during which to adopt a temporary rule.
- Allowing temporary rules to remain in effect longer than 270 days.
- Granting agencies additional bases for adopting temporary rules.

The Committee also found that there is no single standing committee in the General Assembly which reviews APA-related legislation during session.

See EXHIBIT D.

Recommendations. In studying the expanded temporary rule-making authorities, the Committee identified several issues and recommended further study during the 2000 interim, including:

- OAH definition of "recent act". Is 180 days sufficient time for an agency to adopt temporary rules to implement recent acts of the General Assembly?
- Adequate public notice for temporary rules. Since public notice for temporary rules is not mandated in the APA, should the temporary rule-making process be modified to include a compulsory public notice period?
- Delayed effective date for permanent rules. Is the delay in the effective date for permanent rules one of the reasons agencies are being given expanded temporary rule-making authority?

Also, in examining the numerous temporary rule-making provisions, the Committee recommends that all temporary rule-making provisions be codified in the APA See SECTION III - LEGISLATIVE PROPOSAL #1.

Finally, the Committee recommended that legislation be introduced to authorize the Joint Legislative Administrative Procedure Oversight Committee to meet during session to review all bills which modify an agency's rule-making or contested case procedures. See SECTION III - LEGISLATIVE PROPOSAL #2.

Finding and Recommendation #2
AGENCY EXEMPTIONS FROM THE APA

Background. The APA establishes procedures for rule-making, contested cases, and judicial review. These procedures ensure that affected parties receive adequate public notice and opportunity to comment on proposed rules, an opportunity for aggrieved parties to resolve their disputes involving the application of agency rules, and the appeal of agency decisions made as the result of a dispute.

While most executive branch agencies are subject to the APA, several provisions of the APA and various statutes outside the APA either exempt certain agencies entirely or provide that agencies are not subject to a particular Article or component of the APA.

Findings. During its meetings, the Committee expressed concern over the number of agencies exempt from all or part of the APA. On April 20, 2000, Committee staff presented the members with a list of agencies exempt from all or part of the APA. See EXHIBIT E. During this review, the Committee found that numerous agencies are exempt from all or parts of the APA.

Recommendation. The Committee recommends an in-depth study of all exempt agencies during the interim. The Committee also identified several references to repealed parts of the APA throughout the General Statutes. The Committee recommended a technical change bill to modify or delete those references. See SECTION III - LEGISLATIVE PROPOSAL #3.

Finding and Recommendation #3
AMEND CONTESTED CASE PROCEDURES

Background. Current G.S. 150B - Role of the Office of Administrative Hearings in Contested Case Proceedings: Under Article 3 of G.S. 150B (the APA), the Office of Administrative Hearings (OAH) is charged with hearing disputes between an agency and another person in situations involving that person's rights, duties, or privileges. Persons who have grievances against an agency may file a petition with OAH. The petition must state the facts showing that the agency deprived the person of property, ordered the person to pay a

fine or civil penalty, or otherwise substantially prejudiced the person's rights, and that the agency:

- Exceeded its authority or jurisdiction;
- Acted erroneously;
- Failed to use proper procedure;
- Acted arbitrarily or capriciously; or
- Failed to act as required by rule or law.

Hearings are conducted by an Administrative Law Judge (ALJ). In most cases, the ALJ makes a *recommended* decision that contains findings of fact and conclusions of law. However, the agency makes the *final* decision and may either *accept or reject* the ALJ's recommended decision. If the agency fails to adopt the ALJ's recommended decision, the agency must state in its decision the specific reasons why it did not adopt the recommended decision.

Any person who is aggrieved by a final decision in a contested case, and who has exhausted all other means of resolution, is entitled to judicial review under Article 4 of G.S. 150B.

Findings. At its February 17, 2000 meeting, the Committee held an in-depth discussion of HB 968, Amend Contested Case Procedure, introduced by Representative Martin Nesbitt, and Representatives David Redwine and Connie Wilson. House Bill 968 would amend the current contested case procedure contained in Article 3 of the APA to give administrative law judges in the Office of Administrative Hearings final decision-making authority in contested cases and would give both parties to a contested case the right to seek judicial review of the final decision in Superior Court. House Bill 968, 2nd ed., passed the House and is in the Senate Judiciary II Committee. See EXHIBIT F.

At the meeting, concerns were raised about the constitutionality of the bill as currently written. Specifically, the Attorney General's Office issued an advisory opinion to the Office of State Personnel stating that giving administrative law judges final decision-making authority would violate the separation of powers clause of the North Carolina Constitution. Mr. Tom Moffitt with the Attorney General's office explained the basis for his conclusion that HB 968, as currently drafted, violates the constitution. However, Karen Cochrane-Brown, Committee Counsel cited her opinion that HB 968, 2nd ed., would not violate any provisions of the North Carolina Constitution.

The Committee determined that the current contested case system was unfair to the petitioner and that the APA should ensure petitioners a fair process in contested case proceedings. The Committee was also concerned that while agencies almost always adopted the ALJ's recommended decision when it was in favor of the agency, agencies rarely adopted the ALJ's recommended decision when it was in favor of the petitioner. See EXHIBIT F.

In addition to Committee counsel's opinion that HB 968 as drafted is constitutional, the Committee also heard from Gerry Cohen, Director, NCGA Bill Drafting Division. Mr. Cohen stated that he also believed that giving administrative law judges final agency decision-making authority in contested cases is constitutional. Mr. Cohen's presentation to the Committee is found in EXHIBIT G.

Finding and Recommendation #4

RULES ADOPTED BY THE BOARD OF ENGINEERS & LAND SURVEYORS

Findings. At its meeting on April 13, 2000, the Rules Review Commission objected to several rules adopted by the Board of Engineers and Land Surveyors. The Rules Review Commission objected to these rules citing a lack of statutory authority. The objections were to existing language in the rules. Specifically, the Rules Review Commission found that:

- The Board does not have the authority to require that a resident professional licensee spend a majority of the licensee's normal working hours in a particular place of business.
- The Board does not have the authority to require that an applicant for re-examination demonstrate that the applicant has taken actions to improve the chances of passing the exam.
- The Board cannot change the expiration date for business and firm licenses from December 31st to June 30th..

The Committee heard from Jerry Carter, Executive Director of the Board who requested legislation to address the objections raised by the Rules Review Commission.

Recommendation. The Committee recommends that a bill be introduced without prejudice which would give the Board the appropriate statutory authority to adopt the rules to which the Rules Review Commission objected. SEE LEGISLATIVE PROPOSAL #4.



SECTION III

LEGISLATIVE PROPOSALS



LEGISLATIVE PROPOSAL #1

**A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE
OVERSIGHT COMMITTEE TO THE 1999 SESSION OF THE GENERAL ASSEMBLY, 2000 REGULAR
SESSION, TO CODIFY AND CROSS-REFERENCE PROVISIONS OF THE GENERAL STATUTES AND
SESSION LAWS GRANTING TEMPORARY RULE-MAKING AUTHORITY TO VARIOUS AGENCIES.**

Short Title: Codify Temporary Rule-making Exceptions.

Statute(s) Affected: *GS 150B-21.1 (APA)*
SL 99-237; GS 143-215.1B(c); GS 130A-125(b1); GS 108A-27(c); GS 143B-289.52(e);
GS 131-292.2(a1); SL 98-221, Sec. 2.1 SL 99-329, Sec. 7.1; SL 98-212, Sec. 9.1(e); SL
97-400, Sec. 6.10; SL 98-225, Sec. 5.3; SL 97-507, Sec. 8; SL 99-463, ES, Sec. 4; SL
95-377, Sec. 16; SL 99-463 ES, Sec. 4

Agency Affected: Department of Administration.

Department of Environment & Natural Resources: Coastal Resources
Commission; Environmental Management Commission; Marine Fisheries
Commission; Wildlife Resources Commission;

Department of Health & Human Services: Commission for Health
Services; Division of Medical Assistance; Secretary.

Department of Public Instruction.

Various Agencies w/Regard to Hurricane Floyd Temporary Rules.

Interested Parties: Agencies listed above.

Explanation of Proposal: In addition to the temporary rule-making exceptions codified in the
APA, there are numerous temporary rule-making authorities found outside the APA, in either the
agency's substantive statutes or in session law. The bill would codify all temporary rule-making
provisions in the APA. **NOTE: All of these provisions are contained in current law. This bill
does not modify any agency's existing temporary rule-making authority by expanding, limiting,
or adding any new authority to adopt temporary rules.**

Appropriations and/or Fees: None.

Effective Date: When the act becomes law.





LEGISLATIVE PROPOSAL #1: Codify Temporary Rule Exceptions

BILL ANALYSIS

Committee: RECOMMENDED BY: Joint
Legis. Admin. Procedure.
Oversight Committee

Introduced by:
Summary by: Mary Shuping
Committee Staff

Date: April 20, 2000

Version: DRAFT: 99-ROZ-020(4.15)

SUMMARY: *This bill would implement a recommendation of the Committee to codify the temporary rule-making authorities contained in session law and statutes other than the APA.*

CURRENT LAW: Currently, the APA (GS 150B-21.1) provides for the adoption of temporary rules only in the following circumstances:

- A serious and unforeseen threat to the public health, safety, or welfare.
- The effective date of a recent act of the General Assembly or the U.S. Congress.
- A recent change in federal or State budgetary policy.
- A federal regulation.
- A court order.

Temporary rules are reviewed by an administrative law judge (ALJ) in the Office of Administrative Hearings (OAH) to ensure that the agency's need for the temporary rule meets at least one of the above-cited criteria. The rule is *not* reviewed for statutory authority, clarity, and necessity. Temporary rules may become effective within 24 hours. Finally, if an ALJ objects to the temporary rule, the agency may file the temporary rule over that objection.

When agencies adopt temporary rules, they are required to begin the permanent rule-making process. In order for a temporary rule to remain in effect until the permanent rule becomes effective, the agency must submit the permanent rule to the Rules Review Commission within 270 days. Failure to do so results in the expiration of the temporary rule.

BILL ANALYSIS: *99-ROZ-020(4.15)* would codify all temporary rule-making provisions in the APA. A section-by-section explanation of these provisions is attached. **NOTE: All of these provisions are contained in current law. This bill does not modify any agency's existing temporary rule-making authority by expanding, limiting, or adding any new authority to adopt temporary rules.**

BACKGROUND: At its March 16, 2000 meeting, the Committee was presented with information showing a large increase in the number of temporary rules adopted by agencies over the past year. The average number of temporary rules had risen from approximately 235 temporary rules per year for the period 12/92 – 11/98 to 661 temporary rules for the period 12/98 – 11/99.

The Committee also found that since 1995, numerous agencies have received various types of expanded temporary rule-making authority. Five of these expanded authorities have been codified in the APA, five have been codified in the agencies' substantive statutes, and the remainder are contained in uncodified session law.

Therefore, in order to ensure that all exceptions to temporary rule-making are contained in one place in the General Statutes, the Committee recommended that these provisions be codified in the APA.



Section-by-Section Analysis
99-ROZ-020(4.15)

CODIFY TEMPORARY RULE-MAKING EXCEPTIONS

Section 1.

AMENDS GS 150B-21.1 TO ADD	<u>ADDITIONAL BASES FOR ADOPTING TEMPORARY RULES.</u>	CURRENTLY FOUND UNDER
	<i>Analysis:</i> Gives agency an additional basis for the adoption of a temporary rule, other than those found under GS 150B-21.1(a). The APA procedures for adoption of the temporary rule, its effective date and expiration date apply to any of these temporary rules.	
(a)(7)	DHHS/Division of Medical Assistance: Allows DHHS to adopt temporary rules to administer the federal Medicaid estate recovery program.	SL 99-237 ¹
(a)(8)	Allows DHHS to adopt temporary rules to maximize the receipt of federal funds,	
(a)(9)	DENR/Environmental Management Commission Allows the EMC to adopt temporary rules to establish the maximum loads or concentration limits for nitrogen and phosphorous discharges.	GS 143-215.1B(c)
(a)(10)	DHHS/Health Services Commission Allows the Health Services Commission to adopt temporary rules governing the newborn screening program.	GS 130A-125(b1)
(a)(11)	DHHS/Secretary Allows the Secretary to adopt rules governing the Work First Program if required by federal law.	GS 108A-27(c)
(a)(12)	DENR/Marine Fisheries Commission Allows the Commission to adopt temporary rules within 6 months of the adoption or amendment of a fishery management plan adopted by the Atlantic States Marine Fisheries Commission.	GS 143B-289.52(e)
(a)(13)	DENR/Wildlife Resources Commission Allows the Commission to adopt temporary rules responding to rabies outbreaks.	GS 131-292.2(a1)
(a)(14)	DENR/Coastal Resources Commission Allows the Commission to adopt temporary rules governing coastal energy facilities. Sunset: July 1, 2005.	SL 98-221, Sec. 2.1
AMENDS GS 150B-21.1 TO ADD	<u>ADDITIONAL BASIS & DIFFERENT PROCEDURE FOR ADOPTION OF TEMPORARY RULES.</u>	CURRENTLY FOUND UNDER
	<i>Analysis:</i> Gives the agency an additional basis for adopting a temporary rule <i>and</i> mandates public notice, comment, and hearing prior to the adoption of the temporary rule.	
(a6)	DENR/Environmental Management Commission Allows the EMC to adopt temporary rules to protect water quality standards in the Cape Fear, Catawba, and Tar-Pamlico River Basins, and also provides mandatory procedures for public notice and hearing	SL 99-329, Sec. 7.1

¹ These provisions have been included in the Appropriations Act since 1995.

	prior to the adoption of any temporary rules. Sunset: July 1, 2001.	
AMENDS GS 150B-21.1 (a7) TO ADD	<p style="text-align: center;">INDEFINITE PERIOD OF TIME DURING WHICH AN AGENCY CAN ADOPT TEMPORARY RULES TO IMPLEMENT LEGISLATION.</p> <p><i>Analysis:</i> Under the APA and rules adopted by the Office of Administrative Hearings, an agency has up to 180 days after the effective date of an act to adopt temporary rules implementing that act. The following provisions allow the agency an indefinite period of time during which to adopt temporary rule to implement a recent act of the General Assembly.</p>	CURRENTLY FOUND UNDER
(1)	<p>Department of Administration Allows the adoption of temporary rules for driver's education certificates for non-public schools until all rules necessary to implement SL 98-212 have been adopted.</p>	SL 98-212, Sec. 9.1(e)
(2)	<p>DENR/Marine Fisheries Commission Allows Commission to adopt temporary rules to implement the Fisheries Reform Act of 1997 until all rules necessary to implement the act have been adopted.</p>	SL 97-400, Sec. 6.10
(3)	<p>Allows Commission to adopt temporary rules to implement the provisions of SL 98-225, Marine Fisheries Amendments, until all rules necessary to implement the act have been adopted.</p>	SL 98-225, Sec. 5.3
(4)	<p>Department of Public Instruction/Other Agencies Allows all departments to which the act applies to adopt temporary rules to implement provisions of SL 97-507, Dropout Prevention/Drivers Licenses, until all rules necessary to implement the act have been adopted.</p>	SL 97-507, Sec. 8
(5)	<p>Various Agencies Allows adoption of temporary rules relating to the Hurricane Floyd Recovery Act. The temporary rules must be applicable only to the counties declared federal disaster areas. All temporary rules adopted must be reported to the Joint Legislative Administrative Procedure Oversight Committee.</p>	SL 99-463, ES, Sec. 4
AMENDS GS 150B-21.1 (d1) TO ADD	<p style="text-align: center;">TEMPORARY RULES MAY REMAIN IN EFFECT LONGER THAN 270 DAYS.</p> <p><i>Analysis:</i> Normally, temporary rules adopted by agencies expire on the 270th day after publication in the <i>NC Register</i>, unless the agency has submitted the permanent version of the rule to the Rules Review Commission. The following temporary rules may remain in place beyond 270 days.</p>	CURRENTLY FOUND UNDER
(1)	<p>DENR/Environmental Management Commission Allows rules relating to underground storage tanks adopted pursuant to SL 95-377, Underground Storage Tank Amendments, to remain in effect until the Commission adopts permanent rules.</p>	SL 95-377, Sec. 16
(2)	<p>Various Agencies Allows temporary rules related to the Hurricane Floyd Recovery Act to remain in effect until the expiration date set by the agency.</p>	SL 99-463 ES, Sec. 4

Section 2. Provides that the act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S/H

D

99-ROZ-020(4.15)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: Codify Temp. Rule Exceptions.

(Public)

Sponsors: Redwine.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE
3 ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO CODIFY AND
4 CROSS-REFERENCE PROVISIONS OF THE GENERAL STATUTES AND SESSION
5 LAWS GRANTING TEMPORARY RULEMAKING AUTHORITY TO VARIOUS
6 AGENCIES.
7 The General Assembly of North Carolina enacts:
8 Section 1. G.S. 150B-21.1 reads as rewritten:
9 "§ 150B-21.1. Procedure for adopting a temporary rule.
10 (a) Adoption. -- An agency may adopt a temporary rule without
11 prior notice or hearing or upon any abbreviated notice or hearing
12 the agency finds practical when it finds that adherence to the
13 notice and hearing requirements of this Part would be contrary to
14 the public interest and that the immediate adoption of the rule
15 is required by one or more of the following:
16 (1) A serious and unforeseen threat to the public
17 health, safety, or welfare.
18 (2) The effective date of a recent act of the General
19 Assembly or the United States Congress.

- 1 (3) A recent change in federal or State budgetary
2 policy.
- 3 (4) A federal regulation.
- 4 (5) A court order.
- 5 (6) The need for the rule to become effective the same
6 date as the State Medical Facilities Plan approved
7 by the Governor, if the rule addresses a matter
8 included in the State Medical Facilities Plan.
- 9 (7) The need for the Division of Medical Assistance,
10 Department of Health and Human Services, to
11 administer Medicaid estate recovery mandated by the
12 Omnibus Budget Reconciliation Act of 1993, (OBRA
13 1993), 42 U.S.C. §1396p(b), and G.S. 108-70.5.
- 14 (8) A finding by the Department of Health and Human
15 Services that rules are necessary to maximize
16 receipt of federal funds, to reduce Medicaid
17 expenditures, and to reduce fraud and abuse.
- 18 (9) The provisions of G.S. 143-215.1B(c).
- 19 (10) The provisions of G.S. 130A-125(b1).
- 20 (11) The provisions of G.S. 108A-27(c).
- 21 (12) The provisions of G.S. 143B-289.52(e).
- 22 (13) The provisions of G.S. 113-291.2(a1), provided
23 nothing contained in this subsection shall
24 supercede the public notice requirements contained
25 in G.S. 113-291.2(a1).
- 26 (14) Until July 1, 2005, the Coastal Resources
27 Commission, when adopting temporary rules governing
28 coastal energy facilities.

29 An agency must prepare a written statement of its findings of
30 need for a temporary rule. The statement must be signed by the
31 head of the agency adopting the rule.

32 (a1) Notwithstanding the provisions of subsection (a) of this
33 section, the Wildlife Resources Commission may adopt a temporary
34 rule after prior notice or hearing or upon any abbreviated notice
35 or hearing, the agency finds practical to protect the public
36 health, safety, or welfare, conserve wildlife resources, or
37 provide for the orderly and efficient operation of game lands by
38 establishing any of the following:

- 39 (1) No wake zones;
- 40 (2) Hunting or fishing seasons;

- 1 (3) Hunting or fishing bag limits;
2 (4) Management of public game lands as defined in G.S.
3 113-129(8a).

4 When the Wildlife Resources Commission adopts a temporary rule
5 pursuant to this subsection, it must submit the reference to this
6 subsection as its statement of need to the Codifier of Rules.

7 (a2) Notwithstanding the provisions of subsection (a) of this
8 section, the Secretary of State may adopt temporary rules to
9 implement the certification technology provisions of Article 11A
10 of Chapter 66 of the General Statutes. After having the proposed
11 temporary rule published in the North Carolina Register and at
12 least 30 days prior to adopting a temporary rule pursuant to this
13 subsection, the Secretary shall:

- 14 (1) Notify persons on its mailing list maintained
15 pursuant to G.S. 150B-21.2(d) and any other
16 interested parties of its intent to adopt a
17 temporary rule;
18 (2) Accept oral and written comments on the proposed
19 temporary rule; and
20 (3) Hold at least one public hearing on the proposed
21 temporary rule.

22 When the Secretary adopts a temporary rule pursuant to this
23 subsection, the Secretary must submit a reference to this
24 subsection as the Secretary's statement of need to the Codifier
25 of Rules.

26 Notwithstanding any other provision of this Chapter, the
27 Codifier of Rules shall publish in the North Carolina Register a
28 proposed temporary rule received from the Secretary in accordance
29 with this subsection.

30 (a3) Notwithstanding the provisions of subsection (a) of this
31 section, the Commissioner of Insurance may adopt a temporary rule
32 to implement the provisions of G.S. 58-2-205 after prior notice
33 or hearing or upon any abbreviated notice or hearing. When the
34 Commissioner adopts a temporary rule pursuant to this subsection,
35 the Commissioner must submit the reference to this subsection as
36 the Commissioner's statement of need to the Codifier of Rules.

37 (a4) Notwithstanding the provisions of subsection (a) of this
38 section, the Secretary of Commerce may adopt temporary rules to
39 implement the information technology procurement provisions of
40 Part 16 of Article 10 of Chapter 143B of the General Statutes.

1 After having the proposed temporary rule published in the North
2 Carolina Register and at least 30 days prior to adopting a
3 temporary rule pursuant to this subsection, the Secretary shall:

- 4 (1) Notify persons on its mailing list maintained
5 pursuant to G.S. 150B-21.2(d) and any other
6 interested parties of its intent to adopt a
7 temporary rule;
- 8 (2) Accept oral and written comments on the proposed
9 temporary rule; and
- 10 (3) Hold at least one public hearing on the proposed
11 temporary rule.

12 When the Secretary adopts a temporary rule pursuant to this
13 subsection, the Secretary must submit a reference to this
14 subsection as the Secretary's statement of need to the Codifier
15 of Rules.

16 Notwithstanding any other provision of this Chapter, the
17 Codifier of Rules shall publish in the North Carolina Register a
18 proposed temporary rule received from the Secretary in accordance
19 with this subsection.

20 (a5) Notwithstanding the provisions of subsection (a) of this
21 section, the State Board of Elections may adopt a temporary rule
22 after prior notice or hearing or upon any abbreviated notice or
23 hearing the agency finds practical for one or more of the
24 following:

- 25 (1) In accordance with the provisions of G.S. 163-22.2.
- 26 (2) To implement any provisions of state or federal law
27 for which the State Board of Elections has been
28 authorized to adopt rules.
- 29 (3) The need for the rule to become effective
30 immediately in order to preserve the integrity of
31 upcoming elections and the elections process.

32 When the State Board of Elections adopts a temporary rule
33 pursuant to this subsection, it must submit the reference to this
34 subsection as its statement of need to the Codifier of Rules.

35 (a6) Notwithstanding the provisions of subsection (a) of this
36 section and Section 8.6 of S.L. 1997-458, until July 1, 2001, the
37 Environmental Management Commission may adopt temporary rules to
38 protect water quality standards and uses as required to implement
39 basinwide water quality management plans for the Cape Fear,
40 Catawba, and Tar-Pamlico River Basins pursuant to G.S. 143-214.1,

1 143-214.7, 143-215.3, and 143B-282. Prior to the adoption of a
2 temporary rule under this subsection, the Commission shall:

- 3 (1) Consult with persons who may be interested in the
4 subject matter of the temporary rule during the
5 development of the text of the proposed temporary
6 rule.
- 7 (2) Publish a notice of intent to adopt a temporary
8 rule in the North Carolina Register. The notice
9 shall set out the text of the proposed temporary
10 rule and include the name of the person to whom
11 questions and written comment on the proposed rule
12 may be submitted. The Commission shall accept
13 written comment on the proposed temporary rule for
14 at least 30 days after the notice of intent to
15 adopt the temporary is published in the North
16 Carolina Register.
- 17 (3) Hold a public hearing on the proposed temporary
18 rule in the river basin to which the proposed
19 temporary rule applies.

20 (a7) Notwithstanding the provisions of subsection (a)(2) of
21 this section, an agency may adopt a temporary rule to implement
22 the provisions of any of the following acts until all rules
23 necessary to implement the provisions of the act have become
24 effective as either temporary or permanent rules:

- 25 (1) S.L. 1998-212, Section 9.1(e), relating to Driving
26 Education Certificates.
- 27 (2) S.L. 1997-400, Section 6.10, relating to the
28 Fisheries Reform Act of 1997.
- 29 (3) S.L. 1998-225, Section 5.3, relating to amendments
30 to the Fisheries Reform Act of 1997.
- 31 (4) S.L. 1997-507, Section 8, relating to Dropout
32 Prevention/Drivers License.
- 33 (5) S.L. 1999-463 ES, Section 4, relating to the
34 Hurricane Floyd Recovery Act of 1999. Any agency
35 that adopts a temporary rule pursuant to this sub-
36 subsection shall report the text of the rule and
37 the agency's written statement of its findings of
38 the need for the rule to the Joint Legislative
39 Administrative Procedure Oversight Committee within
40 30 days of the adoption of the temporary rule.

1 (b) Review. -- When an agency adopts a temporary rule it must
2 submit the rule and the agency's written statement of its
3 findings of the need for the rule to the Codifier of Rules.
4 Within one business day after an agency submits a temporary rule,
5 the Codifier of Rules must review the agency's written statement
6 of findings of need for the rule to determine whether the
7 statement of need meets the criteria listed in subsection (a) or
8 (a1) of this section. In reviewing the statement, the Codifier of
9 Rules may consider any information submitted by the agency or
10 another person. If the Codifier of Rules finds that the statement
11 meets the criteria, the Codifier of Rules must notify the head of
12 the agency and enter the rule in the North Carolina
13 Administrative Code.

14 If the Codifier of Rules finds that the statement does not meet
15 the criteria, the Codifier of Rules must immediately notify the
16 head of the agency. The agency may supplement its statement of
17 need with additional findings or submit a new statement. If the
18 agency provides additional findings or submits a new statement,
19 the Codifier of Rules must review the additional findings or new
20 statement within one business day after the agency submits the
21 additional findings or new statement. If the Codifier of Rules
22 again finds that the statement does not meet the criteria listed
23 in subsection (a) or (a1) of this section, the Codifier of Rules
24 must immediately notify the head of the agency.

25 If an agency decides not to provide additional findings or
26 submit a new statement when notified by the Codifier of Rules
27 that the agency's findings of need for a rule do not meet the
28 required criteria, the agency must notify the Codifier of Rules
29 of its decision. The Codifier of Rules must then enter the rule
30 in the North Carolina Administrative Code on the sixth business
31 day after receiving notice of the agency's decision.

32 (c) Standing. -- A person aggrieved by a temporary rule
33 adopted by an agency may file an action for declaratory judgment
34 in Wake County Superior Court pursuant to Article 26 of Chapter 1
35 of the General Statutes. In the action, the court shall determine
36 whether the agency's written statement of findings of need for
37 the rule meets the criteria listed in subsection (a) or (a1) of
38 this section and whether the rule meets the standards in G.S.
39 150B-21.9 that apply to review of a permanent rule. The court
40 shall not grant an ex parte temporary restraining order.

1 Filing a petition for rule making or a request for a
2 declaratory ruling with the agency that adopted the rule is not a
3 prerequisite to filing an action under this subsection. A person
4 who files an action for declaratory judgment under this
5 subsection must serve a copy of the complaint on the agency that
6 adopted the rule being contested, the Codifier of Rules, and the
7 Commission.

8 (d) Effective Date and Expiration. -- A temporary rule becomes
9 effective on the date specified in G.S. 150B-21.3. A Except as
10 provided in subsection (d1) of this section, a temporary rule
11 expires on the earliest of the following dates:

- 12 (1) The date specified in the rule.
- 13 (2) The effective date of the permanent rule adopted to
14 replace the temporary rule, if the Commission
15 approves the permanent rule.
- 16 (3) The date the Commission returns to an agency a
17 permanent rule the agency adopted to replace the
18 temporary rule.
- 19 (4) The effective date of an act of the General
20 Assembly that specifically disapproves a permanent
21 rule adopted to replace the temporary rule.
- 22 (5) 270 days from the date the temporary rule was
23 published in the North Carolina Register, unless
24 the permanent rule adopted to replace the temporary
25 rule has been submitted to the Commission.

26 (d1) Notwithstanding the provisions of subsection (d) of this
27 section, the following expiration dates shall apply:

- 28 (1) temporary rules adopted to implement G.S. 143-
29 215.94V, as enacted by Section 1 of Chapter 377 of
30 the 1995 Session Laws, may remain in effect until
31 the Environmental Management Commission adopts
32 permanent rules, and
- 33 (2) temporary rules adopted to implement the Hurricane
34 Floyd Recovery Act of 1999, (S.L. 1999-463 ES,
35 Section 4) shall specify the date on which the rule
36 will expire and shall continue in effect until that
37 date.

38 (e) Publication. -- When the Codifier of Rules enters a
39 temporary rule in the North Carolina Administrative Code, the
40 Codifier must publish the rule in the North Carolina Register.

1 Publication of a temporary rule in the North Carolina Register
2 serves as a notice of rule-making proceedings for a permanent
3 rule if the permanent rule is substantially the same as the
4 published temporary rule, unless the agency published a notice of
5 rule-making proceedings at least 60 days before it adopted the
6 temporary rule.

7 Section 2. This act becomes effective when it becomes
8 law.

A RECOMMENDATION OF
THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE
TO THE 1999 SESSION OF THE GENERAL ASSEMBLY, 2000 REGULAR SESSION,
TO INCLUDE CONSIDERATION OF BILLS WHICH AFFECT THE RULE-MAKING POWER OF AN
AGENCY OR OTHERWISE AMEND THE ADMINISTRATIVE PROCEDURE ACT.

Short Title: Expand APA Oversight.

Statute(s) Affected: *Article 12K of Chapter 120 of the General Statutes*

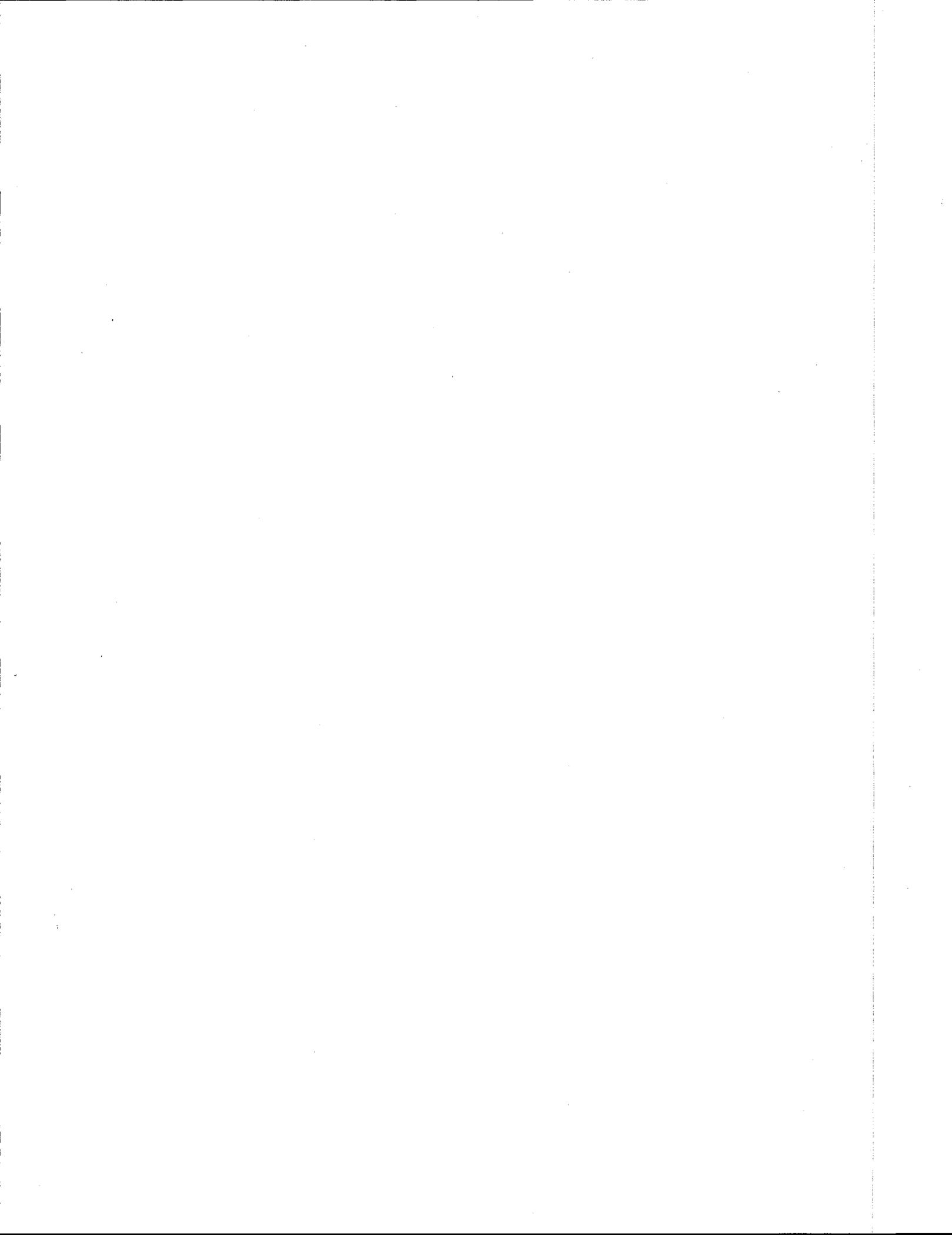
Agency Affected: Agencies subject to the APA which seek modifications of APA procedures.

Interested Parties: Various, depending upon legislative proposal.

Explanation of Proposal: This bill would expand the duties of the Joint Legislative Administrative Procedure Oversight Committee to authorize the Committee to meet during legislative sessions to consider any bills that affect the rule-making power of an agency or otherwise amend the Administrative Procedure Act (APA). These bills could not be considered on the floor or before any committee before a report has been issued by the Committee. The Committee is only authorized to review the portion of the bill pertaining to administrative law and not the substantive policy of the legislation.

Appropriations and/or Fees: None.

Effective Date: January 1, 2001.





LEGISLATIVE PROPOSAL #2: Expand APA Oversight

BILL ANALYSIS

Committee: RECOMMENDED BY: Joint
Legis. Admin. Proc. Oversight
Comm.

Introduced by:
Summary by: Mary Shuping
Research Assistant

Date: April 20, 2000

Version: DRAFT: 99-ROZ-022(5.9)

SUMMARY: *This bill would expand the duties of the Joint Legislative Administrative Procedure Oversight Committee, established in Article 12K of Chapter 120 of the General Statutes, by authorizing the Committee to review bills which affect the rule-making power of an agency or otherwise amend the Administrative Procedure Act (APA).*

CURRENT LAW: Currently, the Joint Legislative Administrative Procedure Oversight Committee (APO Committee) is established in statute and authorized, among other duties, to review the rule-making process for agencies to determine if the procedures for adopting rules give the public adequate notice and to review any other concerns involving administrative law. The Committee, however, does not review proposed legislation affecting an agency's administrative rule-making procedures or any other changes to the APA.

BACKGROUND: Prior to the convening of the short session, the APO Committee was presented with information showing a large increase in the number of temporary rules adopted by agencies over the past year. The average number of temporary rules adopted by agencies rose from approximately 235 temporary rules per year for the period 12/92 – 11/98 to 661 temporary rules for the period 12/98 – 11/99.

The Committee also found that since 1995, numerous agencies have received various types of expanded temporary rule-making authority. Five of these expanded authorities have been codified in the APA, five have been codified in the agencies' substantive statutes, and the remainder are contained in uncodified session law.

The Committee identified several general types of exceptions to the temporary rule-making procedures contained in G.S. 150B-21.1(a), including:

- Extending the period of time during which an agency can adopt a temporary rule to implement a recent act of the General Assembly.
- Granting agencies an indefinite period of time during which to adopt a temporary rule.
- Allowing temporary rules to remain in effect longer than 270 days.
- Granting agencies additional bases for adopting temporary rules.

The Committee was concerned that there is no single standing committee in the General Assembly which reviews APA-related legislation during session. Therefore, the Committee recommended that legislation be introduced to authorize the Joint Legislative Administrative Procedure Oversight Committee to meet during session to review all bills which modify an agency's rule-making or contested case procedures, or otherwise affects the APA.

BILL ANALYSIS: The draft bill amends the statute establishing the APO Committee to provide for the following:

LEGISLATIVE PROPOSAL #2

Page 2

Review of Bills Affecting Administrative Procedures: Before being considered in committee or on the floor of either house, all bills amending the APA; exempting an agency from all or part of the APA; granting exceptions to the temporary or permanent rule-making authority or procedure of an agency; or any other change to administrative procedure for agencies subject to the APA, must be reviewed by the APO Committee, and the APO Committee must issue a report on the proposed legislation.

Scope & Considerations of APO Committee Review: The APO Committee is charged with reviewing the proposed legislation to determine whether the proposal is consistent with the purpose of the APA. The review is limited to the portion of the bill dealing with administrative procedures, and the Committee is prohibited from reviewing the substantive policy. The APO Committee must also consider whether:

- The proposal will result in an increase in administrative rules.
- The proposal adheres to the public notice and hearing requirements of the APA, or otherwise provides for adequate public notice and hearing opportunities.
- The proposal is designed to improve the public's understanding of the administrative process.
- Any exemptions or exceptions contained in the proposal are necessary to accomplish the policy or program assigned to the agency and are in the public interest.

APO Committee Report: The APO Committee's report must include a recommendation on whether the General Assembly should approve the portion of the proposed legislation that relates to administrative law. The APO Committee may also recommend any appropriate amendments. However, an unfavorable recommendation does not bar further consideration of the proposal by any committee or on the floor of either house.

EFFECTIVE DATE: The bill becomes effective January 15, 2001.

III-14.1

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S/H

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99-ROZ-022(5.9)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: Expand APA Oversight.

(Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE DUTIES OF THE JOINT LEGISLATIVE
3 ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO INCLUDE
4 CONSIDERATION OF BILLS WHICH AFFECT THE RULEMAKING POWER OF AN
5 AGENCY OR OTHERWISE AMEND THE ADMINISTRATIVE PROCEDURE ACT.
6 The General Assembly of North Carolina enacts:
7 Section 1. Article 12K of Chapter 120 of the General
8 Statutes is amended by adding a new section to read:
9 "§ 120-70.104. Analysis of legislation.
10 (a) Any legislative proposal introduced in the General Assembly
11 proposing any of the following shall not be eligible for
12 consideration on the floor of either house (other than first
13 reading) or before any committee of either house of the General
14 Assembly until a report has been issued by the Joint Legislative
15 Administrative Procedure Oversight Committee in accordance with
16 subsection (b) of this section with a copy of the report
17 accompanying the proposal in accordance with the rules of the
18 appropriate house:
19 (1) any amendment of Chapter 150B of the General
20 Statutes;

1 (2) an exemption of any agency from any of the
2 requirements contained in Chapter 150B of the
3 General Statutes;

4 (3) an exception to the temporary or permanent
5 rulemaking authority or procedure; or

6 (4) any other change to administrative procedure in
7 connection with agencies subject to Chapter 150B
8 whether made in Chapter 150B or not.

9 (b)The Joint Legislative Administrative Procedure Oversight
10 Committee shall review any legislative proposal referred to in
11 subsection (a) of this section to determine whether the proposal
12 is consistent with the purpose of the Administrative Procedure
13 Act as set forth in G.S. 150B-1(a). The Committee shall only
14 review so much of the legislative proposal as deals with issues
15 of administrative law and shall not review any substantive policy
16 affected by the proposed change to administrative law. The
17 Committee shall also consider whether:

18 (1) the proposal will result in an increase in
19 administrative rules;

20 (2) the proposal adheres to the public notice and
21 hearing requirements of Chapter 150B, or otherwise
22 provides adequate notice and hearing opportunities
23 to the public;

24 (3) the proposal is designed to improve the public's
25 understanding of the administrative process;

26 (4) any exemptions or exceptions contained in the
27 proposal are necessary to accomplish the policy or
28 program assigned to the agency and are in the
29 public interest.

30 The Committee's report shall include a recommendation on whether
31 the General Assembly should approve the portion of the proposed
32 legislation which relates to administrative law. The Committee
33 may also recommend any appropriate amendments. An unfavorable
34 recommendation shall not bar further consideration of the
35 proposal on the floor or by any committee of either house.

36 (c) For purposes of this section, the Joint Legislative
37 Administrative Procedure Oversight Committee may meet at any time
38 upon the call of either chair, whether or not the General
39 Assembly is in session."

40 Section 2. This act becomes effective January 15, 2001.

A RECOMMENDATION OF
THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE
TO THE 1999 SESSION OF THE GENERAL ASSEMBLY, 2000 REGULAR SESSION, TO
REVISE OR REPEAL OBSOLETE STATUTORY REFERENCES TO VARIOUS APA PROVISIONS

Short Title: APA Technical Changes.

Statute(s) Affected: GS 15A-1368.6(e); GS 15A-1376; GS 15B-6; GS 90-88; GS 90-116; GS 90-140; GS 90-223; GS 113-55.2; GS 113-221; GS 113-275; GS 113A-115; GS 130A-309.29; GS 130B-8; G.S. 150B-1.

Agency Affected: Chiropractic Examiners Board; Crime Victims Compensation Commission; Dental Examiners Board; Dept. of Correction/Parole Commission; DENR/Coastal Resources Commission; Marine Fisheries Commission; Secretary; Wildlife Resources Commission; DHHS/Commission for Mental Health, Developmental. Disabilities & Substance Abuse Services; Commission for Health Services; Hazardous Waste Management Commission; Low-Level Radioactive Waste Management Authority; Optometry Examiners Board.

Interested Parties: Agencies listed above.

Explanation of Proposal: 99-SCZ-002(4.17) repeals obsolete references to Article 5, and replaces references to Article 2 with Article 2A.

Section 14 of the draft repeals the section of the APA which exempted the NC Low-Level Radioactive Waste Management Authority from Article 2A of the APA. Pursuant to SL 99-357, the Authority is being repealed effective July 1, 2000.

Appropriations and/or Fees: None.

Effective Date: Section 14 pertaining to the Low-Level Radioactive Waste Management Authority becomes effective July 1, 2000. The remainder of the act becomes effective when the it becomes law.





LEGISLATIVE PROPOSAL #3: APA Technical Changes

BILL ANALYSIS

Committee: RECOMMENDED BY: Joint
Legislative Admin. Procedure
Oversight Committee

Introduced by:
Summary by: Mary Shuping
Committee Staff

Date: April 20, 2000

Version: DRAFT 99-SCZ-002(4.17)

SUMMARY: *This bill makes technical changes or repeals obsolete references to the APA still contained in the General Statutes.*

BILL ANALYSIS:

Sections 1-13

Former Article 2 of the APA governed the rule-making process agencies must follow. Former Article 5 of the APA governed effective dates and publication of agency rules. Both Article 2 and Article 5 were repealed in 1991; however, numerous references to these articles remain in the General Statutes.

Under the current APA, rule-making procedures, effective dates of rules, and the publication of rules are contained in Article 2A of the APA.

99-SCZ-002(4.17) repeals the obsolete references to Article 5, and replaces references to Article 2 with Article 2A.

SECTION(S)	EXPLANATION
1-2	Deletes obsolete references to Article 5 of the APA in the Parole Commission's statutes.
3	Replaces "Article 2" with "Article 2A", in the Crime Victims Compensation Commission's statutes.
4	Replaces "Article 2" with "Article 2A", and deletes reference to Article 5 in the Commission for Mental Health/Developmental Disabilities, & Substance Abuse Services' statutes governing controlled substances. Section 4 also makes other technical changes.
5	Replaces "Article 2" with "Article 2A" in the Board of Examiners of Optometry statutes.
6	Replaces "Article 2" with "Article 2A" in the Board of Chiropractic Examiners statutes.
7	Deletes reference to Article 5 and makes clarifying changes to State Board of Dental Examiners' statutes. The Board of Dental Examiners is subject to the APA, and therefore, is also subject to the filing and publication requirements in the APA. Subdivision (b)(1) continues to require that any rules adopted by the Board must be sent to dental hygienists within 30 days of the approval of the rules.
8	Replaces "Article 2" with "Article 2A" and deletes reference to Article 5 in DENR statutes governing issuance of warning tickets for forest law violations.
9	Replaces "Articles 2" with Article 2A and deletes reference to Article 5 for the Marine Fisheries Commission issuance of proclamations.
10	Replaces "Article 2" with "Article 2A" in Wildlife Resources Commission statutes.
11	Replaces "Article 2" with "Article 2A" in Coastal Resources Commission statutes.

LEGISLATIVE PROPOSAL #3

Page 2

12	Replaces "Article 2" with "Article 2A" in Health Services Commission statutes.
13	Replaces "Article 2" with "Article 2A" in Hazardous Waste Management Commission statutes.

Section 14. Section 14 repeals the section of the APA which exempted the NC Low-Level Radioactive Waste Management Authority's exemption from Article 2A of the APA. Pursuant to SL 99-357, the Authority is being repealed effective July 1, 2000.

Section 15. Effective Dates. Section 14 is effective July 1, 2000. The remainder of the act is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S/H

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99-SCZ-002(4.17)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: APA Technical Changes.

(Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE
3 ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO REVISE OBSOLETE
4 STATUTORY REFERENCES TO VARIOUS APA PROVISIONS.
5 The General Assembly of North Carolina enacts:
6 Section 1. G.S. 15A-1368.6(e) reads as rewritten:
7 "(e) Revocation Hearing. -- Before finally revoking post-
8 release supervision, the Commission shall, unless the supervisee
9 waived the hearing or the time limit, provide a hearing within 45
10 days of the supervisee's reconfinement to determine whether to
11 revoke supervision finally. For purposes of this subsection, the
12 45-day period begins when the preliminary hearing required by
13 subsection (b) of this section is held or waived, or upon the
14 passage of seven working days after arrest, whichever is sooner.
15 The Commission shall adopt rules governing the ~~hearing and shall~~
16 ~~file and publish them as provided in Article 5 of Chapter 150B of~~
17 ~~the General Statutes.~~ hearing."
18 Section 2. G.S. 15A-1376 reads as rewritten:
19 "(e) Revocation Hearing. -- Before finally revoking parole,
20 the Post-Release Supervision and Parole Commission must, unless

1 the parolee waived the hearing or the time limit, provide a
2 hearing within 45 days of the parolee's reconfinement to
3 determine whether to revoke parole finally. The Post-Release
4 Supervision and Parole Commission must adopt ~~regulations~~ rules
5 governing the ~~hearing and must file and publish them as provided~~
6 ~~in Article 5 of Chapter 150B of the General Statutes.~~ hearing."

7 Section 3. G.S. 15B-6(a)(1) reads as rewritten:

8 "(a) In addition to powers authorized by this Chapter and
9 Chapter 150B, the Commission may:

10 (1) Adopt rules in accordance with Part 3, Article 1 of
11 Chapter 143B and Article 2 2A of Chapter 150B of
12 the General Statutes necessary to carry out the
13 purposes of this Chapter;"

14 Section 4. G.S. 90-88(d) reads as rewritten:

15 "(d) If any substance is designated, rescheduled or deleted as
16 a controlled substance under federal law, the Commission shall
17 similarly control or cease control of, the substance under this
18 Article unless the Commission objects to such inclusion. The
19 Commission, at its next regularly scheduled meeting that takes
20 ~~places~~ ~~[place]~~ place 30 days after publication in the Federal
21 Register of a final order scheduling a substance, shall determine
22 either to adopt a rule to similarly control the substance under
23 this Article or to object to such action. No rule-making notice
24 or hearing as specified by ~~G.S.~~ ~~[Chapter]~~ Chapter 150B is
25 required if the Commission makes a decision to similarly control
26 a ~~substance, but any rule so adopted shall be filed pursuant to~~
27 ~~Article 5 of Chapter 150B.~~ substance. However, if the Commission
28 makes a decision to object to adoption of the federal action, it
29 shall initiate rule-making procedures pursuant to ~~G.S.~~ ~~[Chapter]~~
30 ~~150B~~ Chapter 150B within 180 days of its decision to object."

31 Section 5. G.S. 90-116 reads as rewritten:

32 "§ 90-116. Board of Examiners in Optometry.

33 In order to properly regulate the practice of optometry, there
34 is established a North Carolina State Board of Examiners in
35 Optometry, which shall consist of five regularly graduated
36 optometrists who have been engaged in the practice of optometry
37 in this State for at least five years and two members to
38 represent the public at large.

39 No public member shall at any time be a health care provider,
40 be related to or be the spouse of a health care provider, or have

1 any pecuniary interest in the profitability of a health care
2 provider. For purposes of this section, the term "health care
3 provider" shall have the same meaning as provided in G.S. 58-47-
4 5(4). The Governor shall appoint the two public members not later
5 than July 1, 1981.

6 The optometric members of the Board shall be appointed by the
7 Governor from a list provided by the North Carolina State
8 Optometric Society. For each vacancy, the society must submit at
9 least three names to the Governor. The society shall establish
10 procedures for the nomination and election of optometrist members
11 of the Board. These procedures shall be adopted under the
12 rule-making procedures described in Article 2, 2A Chapter 150B of
13 the General Statutes, and notice of the proposed procedures shall
14 be given to all licensed optometrists residing in North Carolina.
15 Such procedures shall not conflict with the provisions of this
16 section. Every optometrist with a current North Carolina license
17 residing in the State shall be eligible to vote in all such
18 elections, and the list of licensed optometrists shall constitute
19 the registration list for elections. Any decision of the society
20 relative to the conduct of such elections may be challenged by
21 civil action in the Wake County Superior Court. A challenge must
22 be filed not later than 30 days after the society has rendered
23 the decision in controversy, and all such cases shall be heard *de*
24 *nov*o.

25 All Board members serving on June 30, 1981, shall be eligible
26 to complete their respective terms. No member appointed to a term
27 on or after July 1, 1981, shall serve more than two complete
28 consecutive five-year terms, except that each member shall serve
29 until his successor is chosen and qualifies.

30 The Governor may remove any member for good cause shown. Any
31 vacancy in the optometrist membership of the Board shall be
32 filled for the period of the unexpired term by the Governor from
33 a list of at least three names submitted by the North Carolina
34 State Optometric Society Executive Council. Any vacancy in the
35 public membership of the Board shall be filled by the Governor
36 for the unexpired term."

37 Section 6. G.S. 90-140 reads as rewritten:

38 "§ 90-140. Selection of chiropractic members of Board.

39 The Governor and the General Assembly upon the recommendation
40 of the President Pro Tempore of the Senate shall appoint

1 chiropractic members of the Board for terms of three years from a
2 list provided by the Board, and the General Assembly upon the
3 recommendation of the Speaker of the House of Representatives
4 shall appoint a chiropractic member of the Board for a term of
5 two years from a list provided by the Board. For each vacancy,
6 the Board must submit at least three names to the Governor,
7 President Pro Tempore of the Senate and Speaker of the House.

8 The Board shall establish procedures for the nomination and
9 election of chiropractic members. These procedures shall be
10 adopted under Article 2 2A of Chapter 150B of the General
11 Statutes, and notice of the proposed procedures shall be given to
12 all licensed chiropractors residing in North Carolina. These
13 procedures shall not conflict with the provisions of this
14 section. Every chiropractor with a current North Carolina license
15 residing in this State shall be eligible to vote in all such
16 elections, and the list of licensed chiropractors shall
17 constitute the registration list for elections. Any decision of
18 the Board relative to the conduct of such elections may be
19 challenged by civil action in the Wake County Superior Court. A
20 challenge must be filed not later than 30 days after the Board
21 has rendered the decision in controversy, and all such cases
22 shall be heard de novo."

23 Section 7. G.S. 90-223(b)(1) reads as rewritten:

24 "(b) The Board shall have the authority to make or amend rules
25 and regulations not inconsistent with this Article governing the
26 practice of dental hygiene and the granting, revocation and
27 suspension of licenses and provisional licenses of dental
28 hygienists.

29 (1) Any rule ~~promulgated or amended~~ adopted under this
30 Article shall ~~be filed and distributed in~~
31 ~~accordance with the provisions of Article 5 of~~
32 ~~Chapter 150B of the General Statutes of North~~
33 ~~Carolina. A copy must be distributed to all~~
34 licensed dentists and all licensed dental
35 hygienists within 30 days of final approval by the
36 Board."

37 Section 8. G.S. 113-55.2(a) reads as rewritten:

38 "(a) To encourage the cooperation of the public in achieving
39 the objectives of the forest laws, the Secretary may provide for the
40 issuance of warning tickets instead of the initiation of criminal

1 prosecution by forest rangers and forest law-enforcement officers.
2 Issuance of the warning tickets shall be in accordance with criteria
3 administratively promulgated by the Secretary within the requirements
4 of this section. These criteria are exempt from Article 2 2A of
5 Chapter 150B of the General Statutes but shall be filed in accordance
6 with Article 5 of that Chapter, Statutes."

7 Section 9. G.S. 113-221(e1) reads as rewritten:

8 "(e1) Pursuant to the request of five or more members of the
9 Marine Fisheries Commission, its chairman may call an emergency
10 meeting of the Commission to review: (1) a proposed issuance or
11 issuance of proclamations under the authority delegated to the
12 Fisheries Director pursuant to (e) of this section, except those
13 proclamations issued for reasons of public health; or (2) the
14 need to issue a proclamation to allow the taking of certain
15 fisheries resources in areas not opened through proclamations
16 issued by the Fisheries Director. At least 48 hours prior to any
17 such meeting, a public announcement of the meeting shall be
18 issued that describes the action requested by the members of the
19 Commission; and the Department must make every reasonable effort
20 to give actual notice of the meeting to persons who may be
21 affected thereby. After its review is complete, the Marine
22 Fisheries Commission, consistent with its duty to protect,
23 preserve, and enhance the commercial and sports fisheries
24 resources of the State, may (1) approve, cancel, or modify the
25 proposed proclamation or issued proclamation under review; or (2)
26 direct the Fisheries Director to issue a proclamation that allows
27 the taking of certain fisheries resources.

28 The variable conditions that affect such resource management
29 decisions require that these emergency meetings and any resulting
30 orders by the Commission be exempt from the provisions of
31 ~~Articles 2 and 5~~ Article 2A of Chapter 150B. The decisions of the
32 Marine Fisheries Commission shall be the final decision of the
33 State and shall not be set aside on judicial review unless found
34 to be arbitrary and capricious."

35 Section 10. G.S. 113-275(a1) reads as rewritten:

36 "(a1) Notwithstanding the fees specified for nonresident
37 individuals by G.S. 113-270.2, 113-270.3, 113-270.5, 113-271,
38 113-272, 113-272.2, and 113-273, if the Wildlife Resources
39 Commission finds that a state has a nonresident license fee
40 related to wildlife resources that exceeds the fee for a

1 comparable nonresident license in North Carolina, the Wildlife
2 Resources Commission may, by resolution in official session,
3 increase the nonresident license fee applicable to citizens of
4 that state to an amount equal to the fee a North Carolina
5 resident is required to pay in that state.

6 The action of the Wildlife Resources Commission to increase a
7 fee pursuant to this subsection is not subject to the provisions
8 of Article 2 2A of Chapter 150B of the General Statutes.
9 ~~Notwithstanding the provisions of G.S. 150B-59(a), the~~ The action
10 of the Wildlife Resources Commission to increase a fee pursuant
11 to this subsection becomes effective on the date specified by the
12 Wildlife Resources Commission."

13 Section 11. G.S. 113A-115(a) reads as rewritten:

14 "(a) Prior to adopting any rule permanently designating any
15 area of environmental concern the Secretary and the Commission
16 shall hold a public hearing in each county in which lands to be
17 affected are located, at which public and private parties shall
18 have the opportunity to present comments and views. Hearings
19 required by this section are in addition to the hearing required
20 by Article 2 2A of Chapter 150B of the General Statutes. The
21 following provisions shall apply for all such hearings:

22 (1) Notice of any such hearing shall be given not less
23 than 30 days before the date of such hearing and
24 shall state the date, time and place of the
25 hearing, the subject of the hearing, and the action
26 to be taken. The notice shall specify that a copy
27 of the description of the area or areas of
28 environmental concern proposed by the Secretary is
29 available for public inspection at the county
30 courthouse of each county affected.

31 (2) Any such notice shall be published at least once in
32 one newspaper of general circulation in the county
33 or counties affected at least 30 days before the
34 date on which the public hearing is scheduled to
35 begin.

36 (3) Any person who desires to be heard at such public
37 hearing shall give notice thereof in writing to the
38 Secretary on or before the first date set for the
39 hearing. The Secretary is authorized to set
40 reasonable time limits for the oral presentation of

1 views by any one person at any such hearing. The
2 Secretary shall permit anyone who so desires to
3 file a written argument or other statement with him
4 in relation to any proposed plan any time within 30
5 days following the conclusion of any public hearing
6 or within such additional time as he may allow by
7 notice given as prescribed in this section.

- 8 (4) Upon completion of the hearing and consideration of
9 submitted evidence and arguments with respect to
10 any proposed action pursuant to this section, the
11 Commission shall adopt its final action with
12 respect thereto and shall file a duly certified
13 copy thereof with the Attorney General and with the
14 board of commissioners of each county affected
15 thereby."

16 Section 12. G.S. 130A-309.29 reads as rewritten:

17 "§ 130A-309.29. Adoption of rules.

18 The Commission may adopt rules to implement the provisions of
19 this Part pursuant to Article 2 2A of Chapter 150B of the General
20 Statutes."

21 Section 13. G.S. 130B-8(a)(8) reads as rewritten:

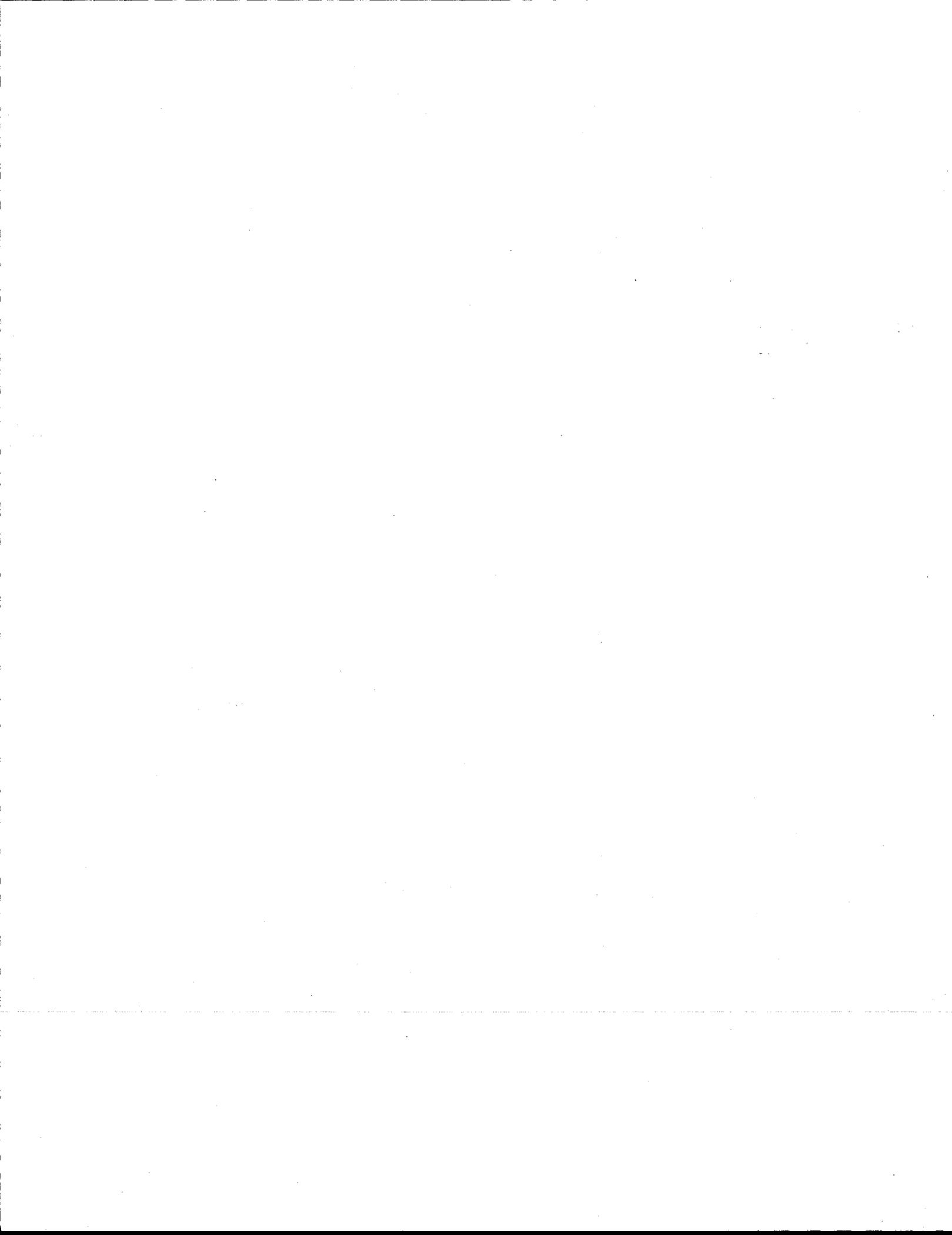
22 "(a) Neither the Commission nor any contractor performing
23 services on behalf of the Commission shall be subject to the
24 following provisions of the General Statutes:

25
26 . . .

- 27
28 (8) Article 2 2A of Chapter 150B shall not apply to
29 contractor selection or technology selection
30 pursuant to G.S. 130B-13 and G.S. 130B-14. Articles
31 3 and 3A of Chapter 150B shall not apply to final
32 decisions regarding site selection, contractor
33 selection or technology selection pursuant to G.S.
34 130B-11, 130B-13, and 130B-14."

35 Section 14. G.S. 150B-1(d)(2) is repealed.

36 Section 15. Effective dates. Section 14 of this act is
37 effective July 1, 2000. The remainder of this act is effective
38 when it becomes law.



*A RECOMMENDATION OF THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE
OVERSIGHT COMMITTEE TO THE 1999 SESSION OF THE GENERAL ASSEMBLY, 2000 REGULAR
SESSION, TO AUTHORIZE THE BOARD OF ENGINEERS AND LAND SURVEYORS TO ADOPT RULES
TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE RE-EXAMINATION OF AN APPLICANT;
LIMIT THE NUMBER OF OFFICES A LICENSEE MAY SUPERVISE; AND CHANGE THE ANNUAL
LICENSE RENEWAL DATE FOR BUSINESSES .*

Short Title: Professional Engineers/Land Surveyors Licensure

Statute(s) Affected: GS 89C-14(e); 89C-17; 89C-24.

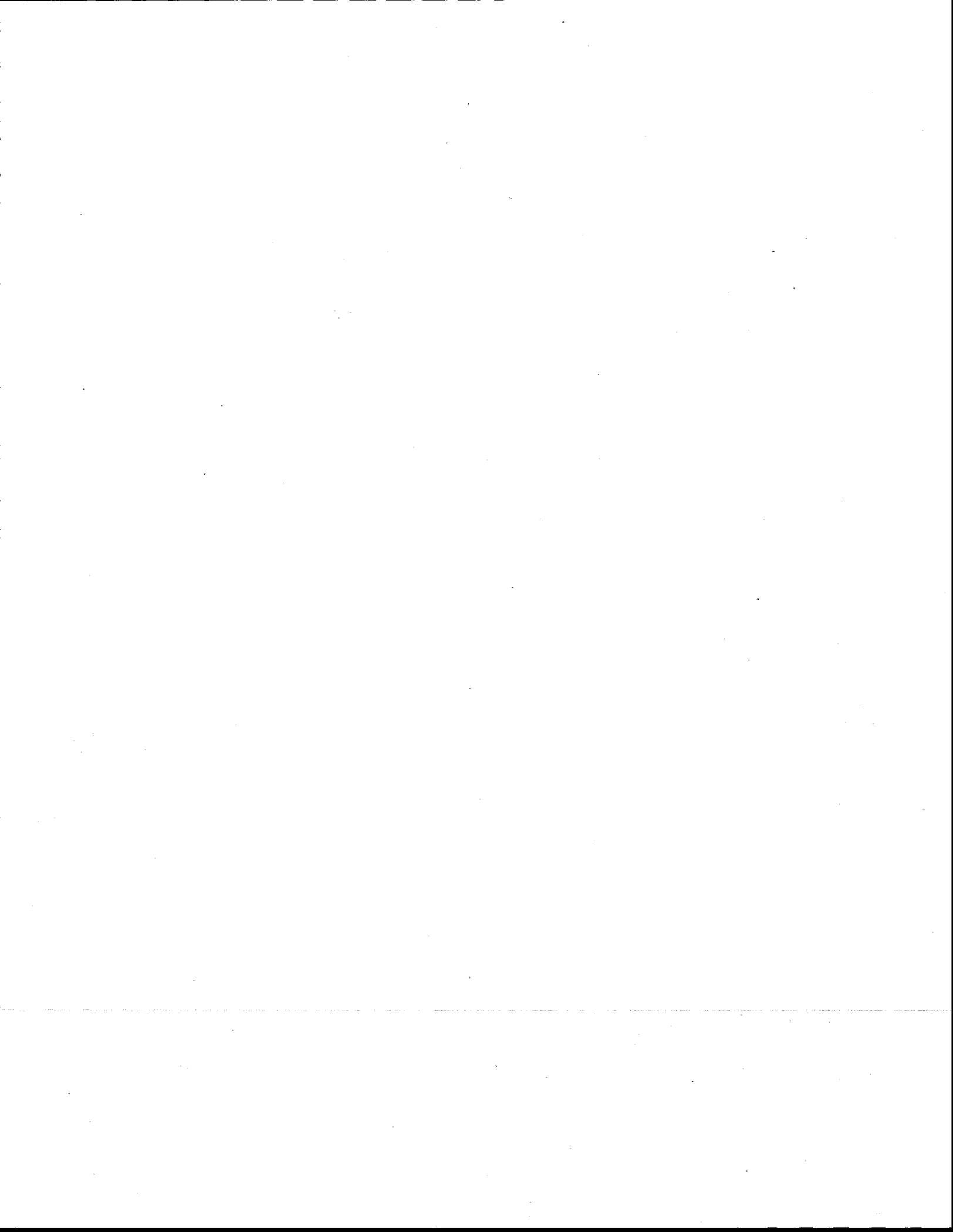
Agency Affected: Board of Engineers and Land Surveyors

Interested Parties: Licensed engineers and land surveyors; applicants applying for re-examination.

Explanation of Proposal: This bill would allow the Board of Examiners for Engineers and Land Surveyors to adopt rules requiring that 1) an applicant who has failed an exam three times must present evidence that the applicant has taken actions to enhance the chances of passing the exam; 2) resident professional engineers and resident professional land surveyors must spend a majority of their working hours in the place of business; and, 3) changing the license renewal date for businesses from December 31st to June 30th.

Appropriations and/or Fees: None.

Effective Date: When the act becomes law.





BILL ANALYSIS

LEGISLATIVE PROPOSAL #4: Professional Engineers & Land Surveyors Licensure

Committee: RECOMMENDED BY: Joint
Legislative Admin. Proc.
Oversight Committee

Introduced by:
Summary by: Mary Shuping
Research Assistant

Date: April 20, 2000
Version: 00-SCZ-004(5.4)

SUMMARY: *This bill would allow the Board of Examiners for Engineers and Land Surveyors to adopt rules 1) requiring that an applicant who has failed an exam three times must present evidence that the applicant has taken actions to enhance his/her chances of passing the exam; 2) requiring resident professional engineers and resident professional land surveyors must spend a majority of their working hours in the place of business; and, 3) changing the license renewal date for businesses from December 31st to June 30th.*

BACKGROUND: On April 13, the Rules Review Commission (RRC) objected to three of the rules adopted by the Board of Examiners for Engineers and Land Surveyors. As permitted under G.S. 150B-21.8, the RRC reviews, and may object to, language in an agency's rule that is not being amended. The objections by the RRC to the Board's rules were to existing language in the rules. The Board has requested legislation to give the Board the authority to properly adopt rules dealing with expiration of business licenses, requirements for information from applicants for re-examination; and resident professional engineers and land surveyors spend a majority of their working hours in the place of business.

BILL ANALYSIS:

Section 1. Current Law: Under current law, candidates for licensure who fail the exam three times are eligible for re-examination after submitting a new application with the appropriate fee and may be considered for re-examination by the Board after 12 months.

Proposed Amendment: Section 1 of the bill would also require that applicants for re-examination provide documented evidence of actions taken to enhance the applicant's likelihood of passing the exam.

Section 2. Current Law: Under current law, all certificates of licensure expire December 31st of each year.

Proposed Amendment: Section 2 of the bill would change the licensure expiration date for business firms and corporations from December 31st to June 30th of each year. Other licenses would continue to expire on December 31st.

LEGISLATIVE PROPOSAL #4

Page 2

Section 3. Current Law: Under current law, work done by business firms and corporations must be done under the responsible charge of individual registrants (defined by the Board as the “resident professional engineer” or “resident professional land surveyor”); however, there is no authority for the Board to require the resident professional engineer or land surveyor to spend a majority of his/her normal working hours in a particular place of business.

Proposed Amendment: Section 3 would allow the Board to adopt rules to establish a limit on the number of offices that a licensee of the Board may directly supervise at any one time.

Section 4. Effective Date. The bill is effective when it becomes law.

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S/H

D

00-SCZ-004(5.4)

(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)

Short Title: Professional Engineers/Land Surveyors Licensure.

(Public)

Sponsors: .

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT
3 LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO
4 AUTHORIZE THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO
5 ADOPT RULES TO REQUIRE ADDIITONAL INFORMATION PRIOR TO THE RE-
6 EXAMINATION OF AN APPLICANT; LIMIT THE NUMBER OF OFFICES A
7 LICENSEE MAY SUPERVISE; AND CHANGE THE ANNUAL LICENSE RENEWAL
8 DATE FOR BUSINESSES.

9 The General Assembly of North Carolina enacts:

10 Section 1. G.S. 89C-14(e) reads as rewritten:

11 "(e) A candidate failing an examination may apply, and be
12 considered by the Board, for reexamination at the end of six
13 months. The Board shall make such reexamination charge as is
14 necessary to defray the cost of the examination.

15 A candidate with a combination of three failures or
16 unexcused absences on an examination shall only be eligible
17 after submitting a new application with appropriate
18 application fee, documented evidence of actions taken by the
19 candidate to enhance the candidate's prospects for passing
20 the exam, and be considered by the Board for reexamination

1 at the end of 12 months. After the end of the 12-month
2 period, the applicant may take the examination no more than
3 once every calendar year."

4 Section 2. G.S. 89C-7 reads as rewritten:

5 "§ 89C-17. Expirations and renewals of certificates.

6 Certificates for licensure of corporations and business firms
7 that engage in the practice of engineering or land surveying
8 shall expire on the last day of the month of June following their
9 issuance or renewal, and shall become invalid on that date unless
10 renewed. All other certificates ~~Certificates~~ for licensure
11 shall expire on the last day of the month of December next
12 following their issuance or renewal, and shall become invalid on
13 that date unless renewed. When necessary to protect the public
14 health, safety, or welfare, the Board shall require any evidence
15 necessary to establish the continuing competency of engineers and
16 land surveyors as a condition of renewal of licenses. When the
17 Board is satisfied as to the continuing competency of an
18 applicant, it shall issue a renewal of the certificate upon
19 payment by the applicant of a fee fixed by the Board but not to
20 exceed seventy-five dollars (\$75.00). The secretary of the Board
21 shall notify by mail every person licensed under this Chapter of
22 the date of expiration of the certificate, the amount of the fee
23 required for its renewal for one year, and any requirement as to
24 evidence of continued competency. The notice shall be mailed at
25 least one month in advance of the expiration date of the
26 certificate. Renewal shall be effected at any time during the
27 month of January immediately following, by payment to the
28 secretary of the Board of a renewal fee, as determined by the
29 Board, which shall not exceed seventy-five dollars (\$75.00).
30 Failure on the part of any registrant to renew the certificate
31 annually in the month of January, as required above, shall
32 deprive the registrant of the right to practice until renewal has
33 been effected. Renewal may be effected at any time during the
34 first 12 months immediately following its invalidation by payment
35 of the established renewal fee and a late penalty of one hundred
36 dollars (\$100.00). Failure of a licensee to renew the license for
37 a period of 12 months shall require the individual, prior to
38 resuming practice in North Carolina, to submit an application on
39 the prescribed form, and to meet all other requirements for
40 licensure as set forth in Chapter 89C. The secretary of the Board

1 is instructed to remove from the official roster of engineers and
2 land surveyors the names of all licensees who have not effected
3 their renewal by the first day of February immediately following
4 the date of their expiration. The Board may adopt rules to
5 provide for renewals in distress or hardship cases due to
6 military service, prolonged illness, or prolonged absence from
7 the State, where the applicant for renewal demonstrates to the
8 Board that the applicant has maintained active knowledge and
9 professional status as an engineer or land surveyor, as the case
10 may be. It shall be the responsibility of each licensee to inform
11 the Board promptly concerning change in address. A licensee may
12 request and be granted inactive status. No inactive licensee may
13 practice in this State unless otherwise exempted in this Chapter.
14 A licensee granted inactive status shall pay annual renewal fees
15 but shall not be subject to annual continuing professional
16 competency requirements. A licensee granted inactive status may
17 return to active status by meeting all requirements of the Board,
18 including demonstration of continuing professional competency as
19 a condition of reinstatement.

20 Section 3. G.S. 89C-24 reads as rewritten:

21 "§ 89C-24. Licensure of corporations and business firms that
22 engage in the practice of engineering or land surveying.

23 A corporation or business firm may not engage in the practice
24 of engineering or land surveying in this State unless it is
25 licensed by the Board and has paid an application fee established
26 by the Board in an amount not to exceed one hundred dollars
27 (\$100.00). A corporation or business firm is subject to the same
28 duties and responsibilities as an individual licensee. Licensure
29 of a corporation or business firm does not affect the requirement
30 that all engineering or land surveying work done by the
31 corporation or business firm be performed by or under the
32 responsible charge of individual registrants, nor does it relieve
33 the individual registrants within a corporation or business firm
34 of their design and supervision responsibilities. The Board may
35 establish a limit on the number of offices that a licensee of the
36 Board may directly or personally supervise at one time.

37 This section applies to every corporation that is engaged in
38 the practice of engineering or land surveying, regardless of when
39 it was incorporated. A corporation that is not exempt from

- 1 Chapter 55B of the General Statutes by application of G.S. 55B-15
2 must be incorporated under that Chapter."
3 Section 4. This act is effective when it becomes law.

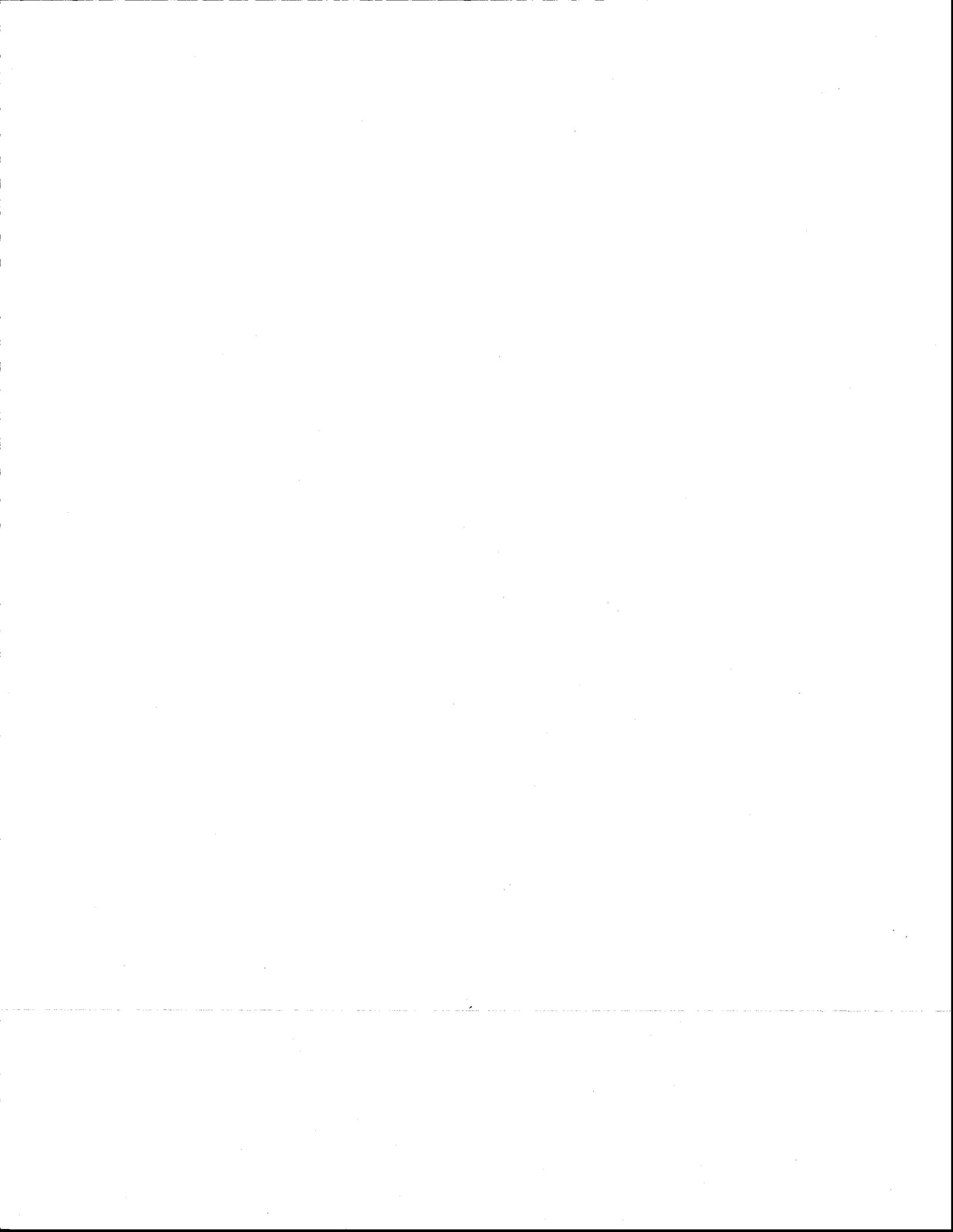
SECTION IV

**TEMPORARY RULES ADOPTED
PURSUANT TO**

SL 99-463 –

Hurricane Floyd Relief Act of 1999:

REPORT TO THE COMMITTEE



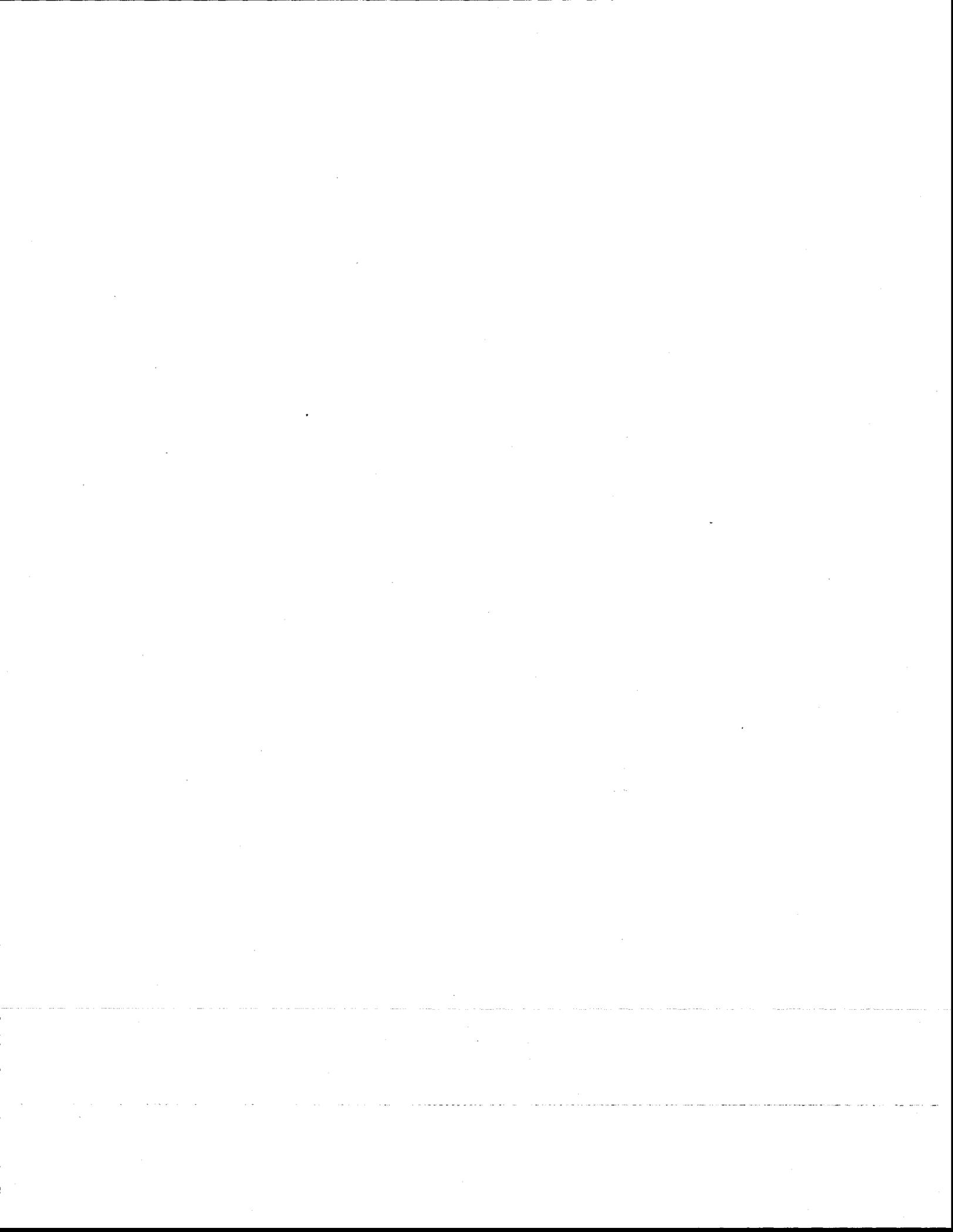
REPORT TO THE COMMITTEE ON TEMPORARY RULES TO IMPLEMENT
THE HURRICANE FLOYD RELIEF ACT OF 1999
SL 99-463

During its 1999 Extra Session , the General Assembly found that the magnitude of the devastation caused by Hurricane Floyd and the urgency of the need for immediate State recovery assistance required expeditious actions by State agencies. In order to achieve that goal, agencies were given expanded temporary rule-making authority for rules to implement the provisions of the Hurricane Floyd Relief Act, as follows:

- **Procedure for Adopting Temporary Rules:** Any temporary rules adopted to implement the act must be adopted in accordance with the temporary rule-making requirements of the APA. The temporary rules will be published in the *North Carolina Register*.
- **Authority to Adopt Temporary Rules:** Agencies' authority to adopt temporary rules will remain in effect until all rules necessary to implement the act have been adopted.
- **Scope of Temporary Rules:** Temporary rules adopted pursuant to SL 1999-463 apply only to the counties that were declared a major disaster area as a result of Hurricane Floyd under federal law (P.L. 93-288).*
- **Expiration of Temporary Rules:** Temporary rules will remain in effect until the date specified by the agency. The agency *must* specify the date on which the rule will expire.
- **Reporting Requirement:** Any agency that adopts a temporary rule to implement the provisions of the act must report the text of the temporary rule and the agency's findings of need for the temporary rule to the Joint Legislative Administrative Procedure Oversight Committee within 30 days of the adoption of the rule.

As of March 24, 2000, a total of 37 temporary rules had been adopted by 4 agencies and reported to the Committee. A detailed list of those rules is found in EXHIBIT H.

* SL 1999-463, Section 2.3.



SECTION V

EXHIBITS

EXHIBIT A	Article 12 K of Chapter 120 of the General Statutes Joint Legislative Administrative Procedure Oversight Committee
EXHIBIT B	APA-Related Legislation – 1999 Regular Session
EXHIBIT C	<ul style="list-style-type: none">• Rule Subject to Legislative Disapproval – 2000 Regular Session
EXHIBIT D	<ul style="list-style-type: none">• Temporary Rules Chart: 12/92 – 11/99• Temporary Rule-making Provisions by Agency• Types of Temporary Rule-making Exceptions
EXHIBIT E	Agency Exemptions from the APA
EXHIBIT F	<ul style="list-style-type: none">• HB 968, 2nd ed. – Bill & Summary• Contested Case Statistics
EXHIBIT G	Constitutionality of HB 968
EXHIBIT H	Temporary Rules Adopted Pursuant to SL 99-463 – As of 4/18/00

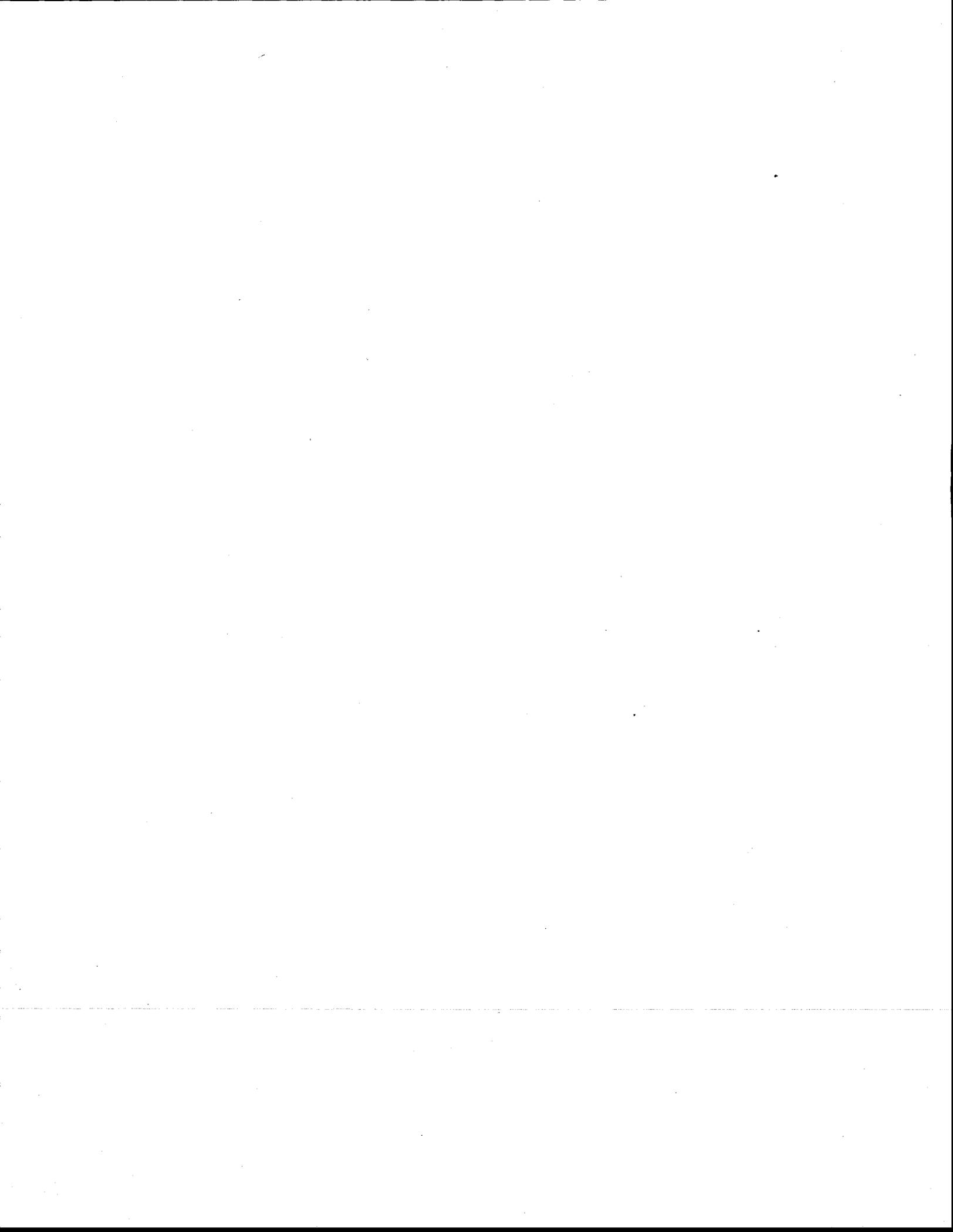
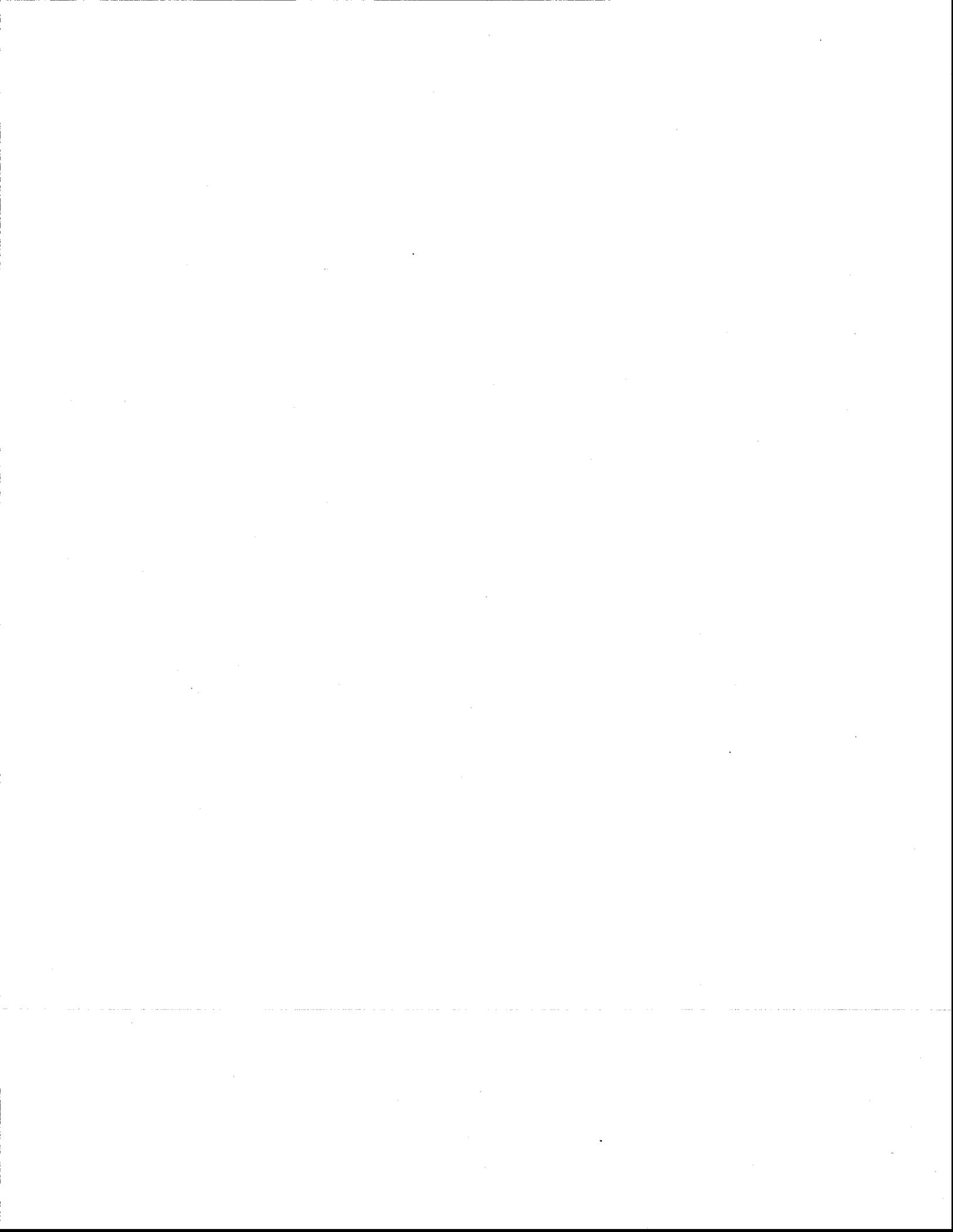


EXHIBIT A

Article 12K of Chapter 120 of the General Statutes:
Joint Legislative Administrative Procedure Oversight Committee



ARTICLE 12K.
Joint Legislative Administrative Procedure Oversight Committee.

Sec.

120-70.100. Creation and membership of Joint Legislative Administrative Procedure Oversight Committee.

120-70.101. Purpose and powers of Committee.

120-70.102. Organization of Committee.

120-70.103. Exercise of duty to maintain a notebook of approved rules.

§ 120-70.100. Creation and membership of Joint Legislative Administrative Procedure Oversight Committee.

(a) The Joint Legislative Administrative Procedure Oversight Committee is established. The Committee consists of 16 members as follows:

(1) Eight members of the Senate appointed by the President Pro Tempore of the Senate, at least three of whom are members of the minority party.

(2) Eight members of the House of Representatives appointed by the Speaker of the House of Representatives, at least three of whom are members of the minority party.

(b) Members of the Committee shall serve a term of two years beginning on January 15 of each odd-numbered year. Members may complete a term of service on the Committee even if they do not seek reelection or are not reelected to the General Assembly, but resignation or removal from service in the General Assembly constitutes resignation or removal from service on the Committee. A member continues to serve until the member's successor is appointed. A vacancy shall be filled within 30 days by the officer who made the original appointment.

(1995, c. 507, s. 27.8(a).)

Editor's Note. - Session Laws 1995, c. 507, which enacted this article, in s. 27.8(z) provides that this article is effective December 1, 1995, and is applicable to all rules for which a notice of rule making is published in the North Carolina Register on or after that date and to rule and Building Code changes that are initiated on or after that date and that are not subject to the rule-making procedures set out in Article 2A of Chapter 150B of the General Statutes.

Session Laws 1995, c. 507, s. 1.1, provides that that act shall be known and cited as the Expansion and Capital Improvements Appropriations Act of 1995.

Session Laws 1995, c. 507, s. 28.9, provides: "Except for statutory changes or other provisions that clearly indicate an intention to have effects beyond the 1995-97 fiscal biennium, the textual provisions of this act apply only to funds appropriated for, and activities occurring during, the 1995-97 biennium."

Session Laws 1995, c. 507, s. 27.8(t), provides: "Notwithstanding G.S. 120-70.100(b), as enacted by subsection (a) of this section, the terms of initial members of the Joint Legislative Administrative Procedure Oversight Committee shall begin upon appointment and shall end on January 15, 1997."

Session Laws 1995, c. 507, s. 28.12 is a severability clause.

§ 120-70.101. Purpose and powers of Committee.

The Joint Legislative Administrative Procedure Oversight Committee has the following

powers and duties:

(1) To review rules to which the Rules Review Commission has objected to determine if statutory changes are needed to enable the agency to fulfill the intent of the General Assembly.

(2) To receive reports prepared by the Rules Review Commission containing the text and a summary of each rule approved by the Commission.

(3) To prepare a notebook that contains the administrative rules that have been approved by the Rules Review Commission and reported to the Committee and to notify each member of the General Assembly of the availability of the notebook.

(4) To review State regulatory programs to determine if the programs overlap, have conflicting goals, or could be simplified and still achieve the purpose of the regulation.

(5) To review existing rules to determine if the rules are necessary or if the rules can be streamlined.

(6) To review the rule-making process to determine if the procedures for adopting rules give the public adequate notice of and information about proposed rules.

(7) To review any other concerns about administrative law to determine if statutory changes are needed.

(8) To report to the General Assembly from time to time concerning the Committee's activities and any recommendations for statutory changes.

(1995, c. 507, s. 27.8(a); 1996, 2nd Ex. Sess., c. 18, s. 7.10(h).)

Editor's Note. - Session Laws 1995, c. 507, s. 1.1, provides that that act shall be known and cited as the Expansion and Capital Improvements Appropriations Act of 1995.

Session Laws 1996, Second Extra Session, c. 18, s. 1.1, provides: "This act shall be known as the Current Operations Appropriations Act of 1996."

Session Laws 1996, Second Extra Session, c. 18, s. 29.5, is a severability clause.

Effect of Amendments. - The 1996 Second Extra Session amendment, effective August 3, 1996, substituted "from time to time" for "at the beginning of each regular session" in subdivision (8).

§ 120-70.102. Organization of Committee.

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each designate a cochair of the Joint Legislative Administrative Procedure Oversight Committee. The Committee shall meet at least once a quarter and may meet at other times upon the joint call of the cochairs.

(b) A quorum of the Committee is nine members. No action may be taken except by a majority vote at a meeting at which a quorum is present. While in the discharge of its official duties, the Committee has the powers of a joint committee under G.S. 120-19 and G.S. 120-19.1 through G.S. 120-19.4.

(c) Members of the Committee receive subsistence and travel expenses as provided in G.S. 120-3.1. The Committee may contract for consultants or hire employees in accordance with G.S.

120-32.02. The Committee may meet in the Legislative Building or the Legislative Office Building upon the approval of the Legislative Services Commission. The Legislative Services Commission, through the Legislative Services Officer, shall assign professional staff to assist the Committee in its work. Upon the direction of the Legislative Services Commission, the Supervisors of Clerks of the Senate and of the House of Representatives shall assign clerical staff to the Committee. The expenses for clerical employees shall be paid by the Committee.

(1995, c. 507, s. 27.8(a); 1996, 2nd Ex. Sess., c. 18, s. 8(I).)

Editor's Note. - Session Laws 1995, c. 507, s. 1.1, provides that that act shall be known and cited as the Expansion and Capital Improvements Appropriations Act of 1995.

Session Laws 1996, Second Extra Session, c. 18, s. 1.1, provides: "This act shall be known as the Current Operations Appropriations Act of 1996."

Session Laws 1996, Second Extra Session, c. 18, s. 29.5, is a severability clause.

Effect of Amendments. - The 1996 Second Extra Session amendment, effective July 1, 1996, substituted "Legislative Services Officer" for "Legislative Administrative Officer" in subsection (c).

§ 120-70.103. Exercise of duty to maintain a notebook of approved rules.

With the approval of the Legislative Services Commission, the Joint Legislative Administrative Procedure Oversight Committee may delegate to the Legislative Library the duty to maintain a notebook containing rules approved by the Rules Review Commission. Whether the notebook is maintained by the Committee or by the Legislative Library, rules shall be filed in the notebook in accordance with the numbering system used in the North Carolina Administrative Code.

(1995, c. 507, s. 27.8(a).)

Editor's Note. - Session Laws 1995, c. 507, s. 1.1, provides that that act shall be known and cited as the Expansion and Capital Improvements Appropriations Act of 1995.

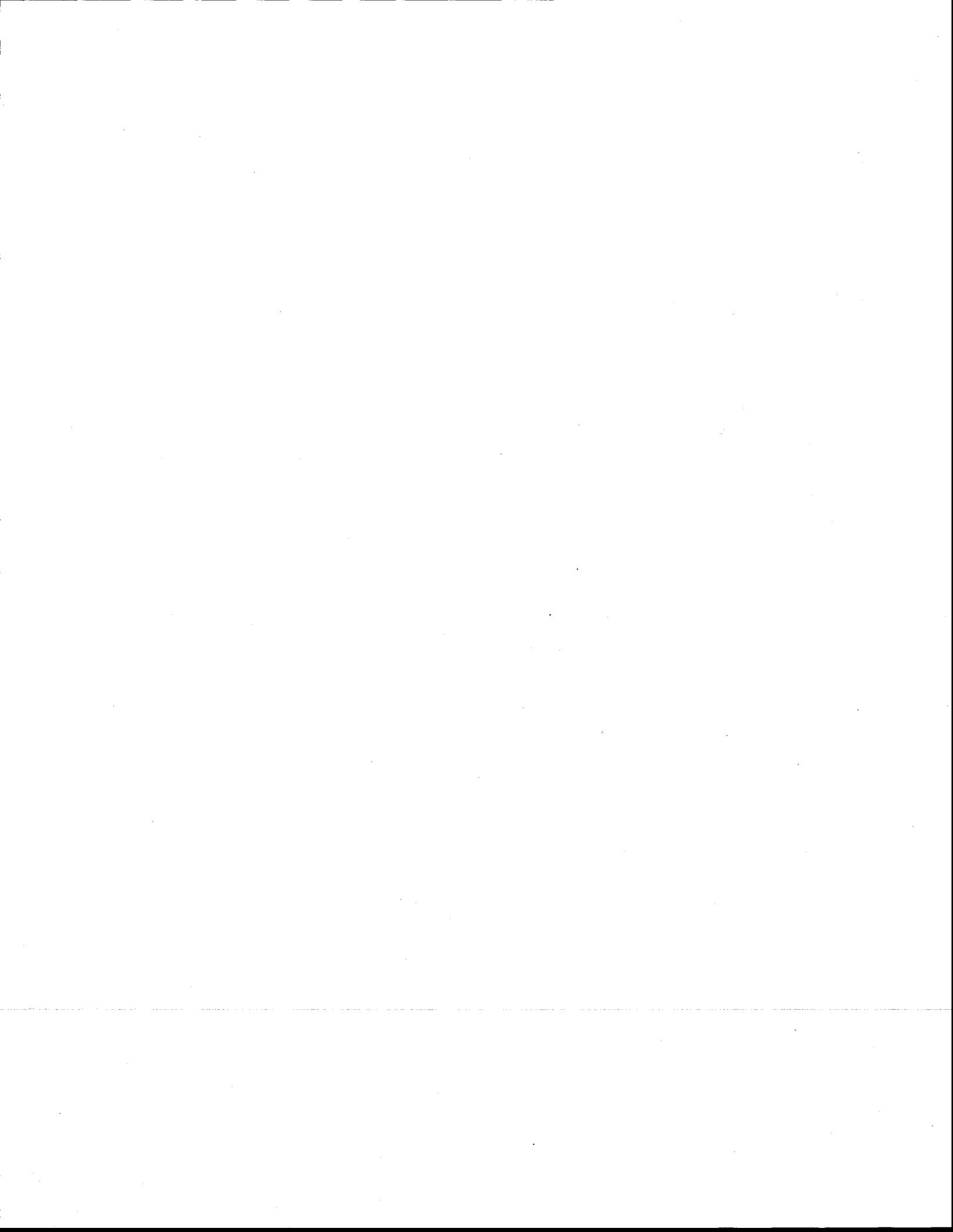
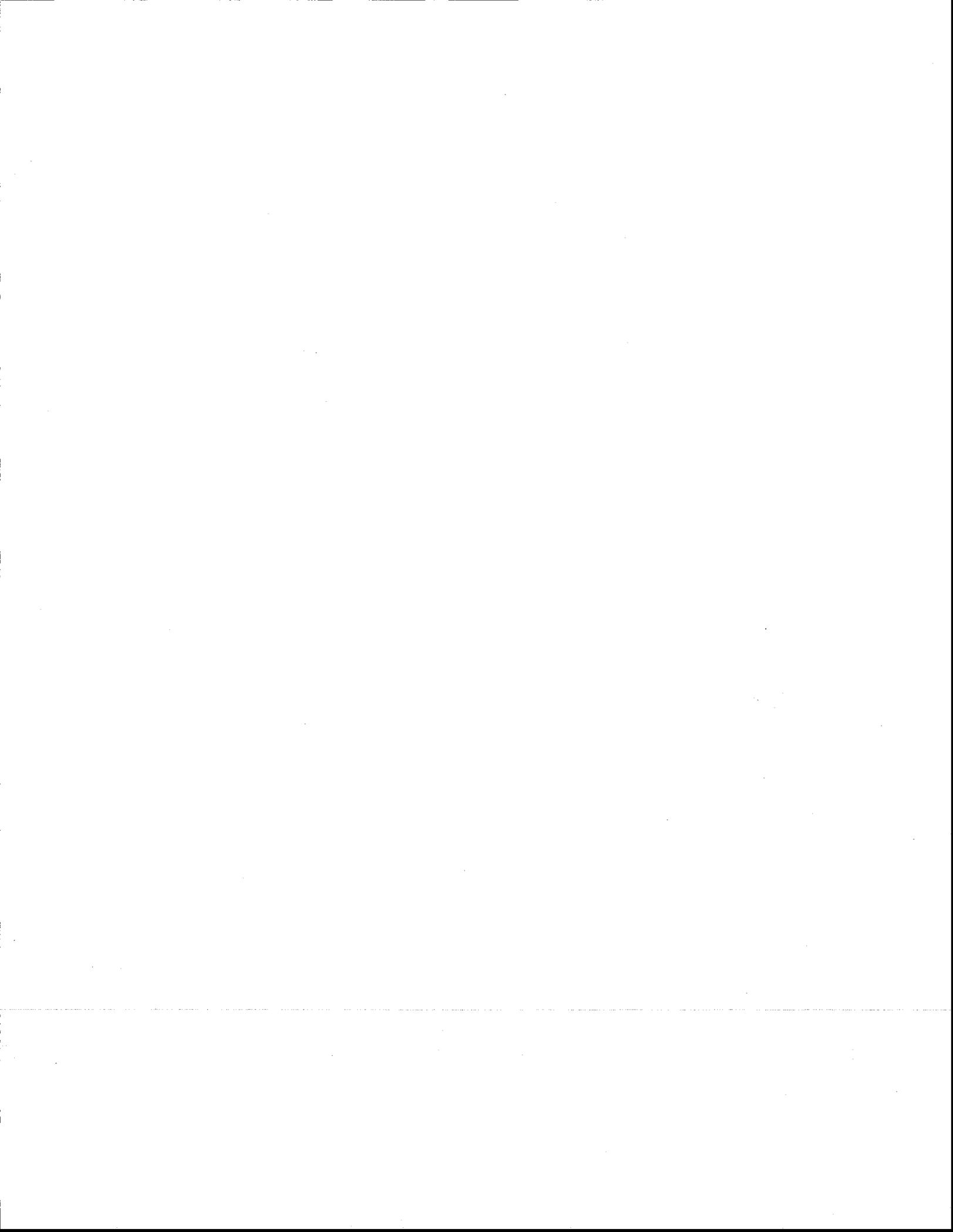


EXHIBIT B

APA-Related Legislation - 1999 Regular Session



APA-RELATED LEGISLATION
1999 Regular Session of the General Assembly

BILLS TO DISAPPROVE RULES

-None-

BILLS RECOMMENDED BY THE JOINT LEGISLATIVE ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE

-None-

ENACTED LEGISLATION

<i>Session Law #</i>	<i>Section(s)</i>	<i>Bill #</i>	<i>Title</i>	<i>Overview</i>
S.L. 1999-237	11 11.30	HB 168	Appropriations Act: Recodification of Administrative Rules Child Caring Institution Rules Effective	Section 11 of S.L. 1999-237 authorizes certain reorganizational and clarifying changes to the <i>North Carolina Administrative Code</i> and exempts those changes from the rule-making requirements of the APA. Section 11.30 of S.L. 1999-237 makes effective several permanent rules adopted by the Social Services Commission that would have otherwise not been able to become effective until June of 2000.
S.L. 1999-329	7.1 - 7.2	HB 1160	Clean Water Act of 1999	Authorizes the Environmental Management Commission to adopt temporary rules to protect the Cape Fear, Catawba, and Tar-Pamlico River Basins.

				Effective Date: July 21, 1999, and expires on July 1, 2001.
S.L. 1999-434	16 - 17	SB 222	Electronic Payments/Information Technology	Gives the Secretary of Commerce expanded temporary rule-making authority to implement information technology provisions of Part 16 of Article 10 of Chapter 143B of the General Statutes. Section 17 of this act provides that contested cases involving the administration of information technology provisions by the Secretary of Commerce will be subject to Article 3A of Chapter 150B of the General Statutes (Other Administrative Hearings).
S.L. 1999-453	5	SB 881	Campaign Reform Act	Grants the State Board of Elections broad authority to adopt temporary rules.

PENDING LEGISLATION

<i>Bill #</i>	<i>Short Title</i>	<i>Status</i>	<i>Overview</i>
HB 968, 2 nd ed.	Amend Contested Case Procedure	Senate Judiciary II	Amends the Administrative Procedure Act to give administrative law judges within the Office of Administrative Hearings final decision-making authority in contested cases, and to give both parties to a contested case the right to seek judicial review of the final administrative decision in Superior Court.
HB 1431, 3 rd ed.	Tobacco & Health Trust Funds	Senate Rules	Establishes the Tobacco Trust Fund Commission to develop guidelines and criteria for the disbursement of funds, and the procedures for applying for and reviewing applications for assistance from the Fund and exempts the Tobacco Trust Fund Commission from the rule-making provisions of the APA

SB 969, 2 nd ed.	NC Health & Wellness Trust Fund	House Select Committee on Tobacco	Establishes the Health and Wellness Trust Fund Board of Trustees and exempts the Board from the rule-making provisions of the APA.
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STUDIES

Administrative Process for State Employee Grievances Committee

Section 2.1 (1) c of S.L. 1999-163 authorized the Legislative Research Commission (LRC) to study the administrative process for State employee grievances (HJR 1014). HJR 1014 provides that the study may include all aspects of the administrative process for State employee grievances, including examination of the rate at which the State Personnel Commission and other State agencies adopt, modify, and reject recommended decisions of administrative law judges.

The Committee may make an interim report to the Legislative Research Commission prior to the convening of the 2000 Regular Session. The Committee's final report must be made prior to the convening of the 2001 Regular Session.

Election Laws Study Commission

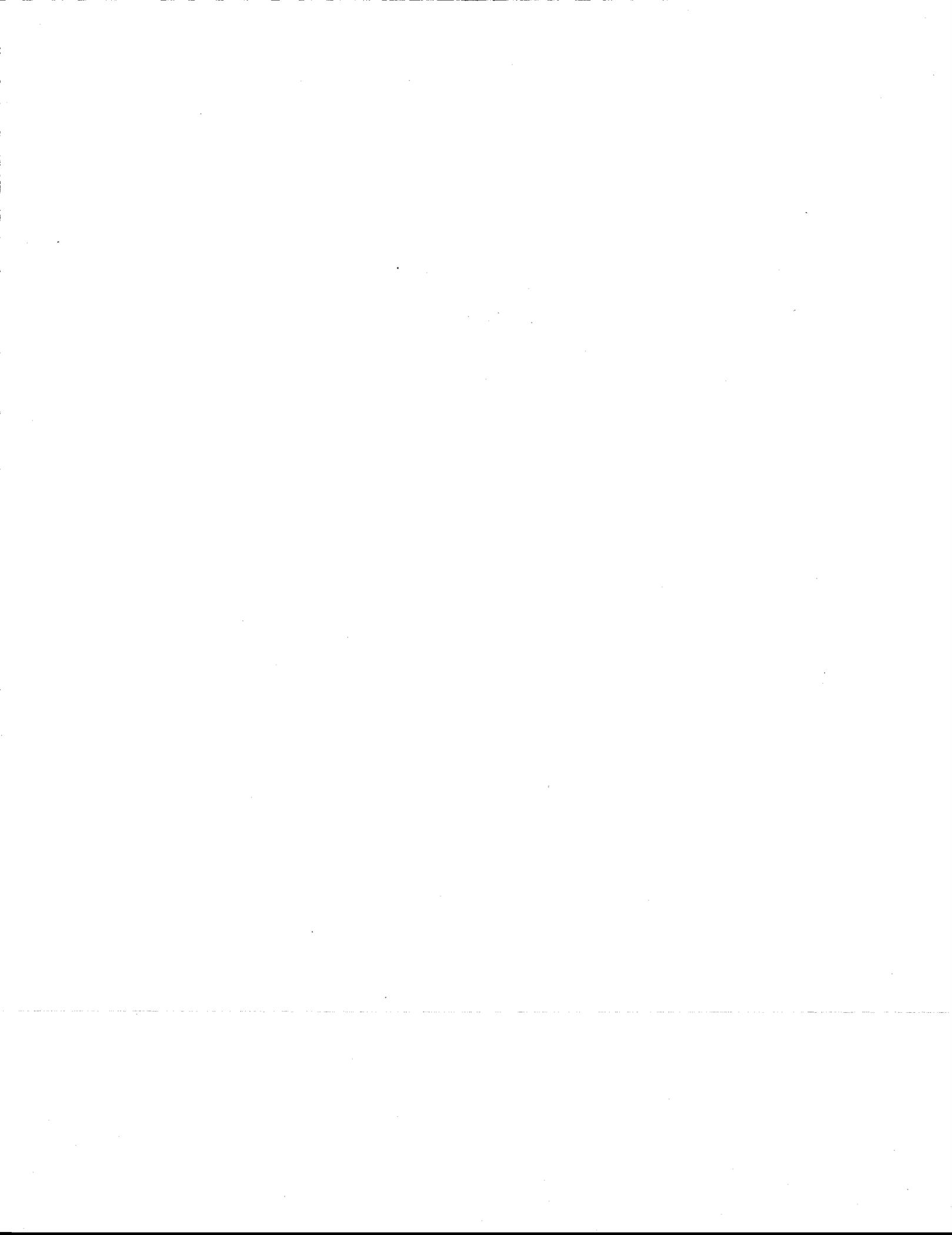
Part IV of S.L. 1999-395 establishes the Election Laws Study Commission. Section 4.3(6) directs the Commission to study an APA exemption for the State Board of Elections.

The Commission is required to report its findings and recommendations prior to the convening of the 2001 General Assembly and may report to the 2000 Regular Session of the 1999 General Assembly.



EXHIBIT C

Rules Subject to Legislative Disapproval – 2000 Regular Session



**RULES APPROVED BY THE RULES REVIEW COMMISSION
SUBJECT TO LEGISLATIVE DISAPPROVAL**

January 1999 - April 2000
Annual Report

Fiscal Impact: All fiscal impact is determined by the agency. "None" means the rule has no State or local impact and private sector impact, if any, is <\$5,000,000; "State" means rules requires the expenditure or distribution of State funds; "Local" means the rule affects the expenditures or revenues of local government; "substantial Economic" means the rule has an aggregate financial impact on all persons affected of at least \$5,000,000 in a 12-month period.

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
AGRICULTURE, DEPARTMENT OF				
BOARD OF AGRICULTURE	2 NCAC 9K .0214 <i>Standards of Identity for Frozen Yogurt</i>	Standards	None	July 1, 2000
	2 NCAC 20B .0104 <i>Admission Regulations</i>	Regulations	None	July 1, 2000
STRUCTURAL PEST CONTROL COMMITTEE	2 NCAC 34 .0102 <i>Definitions</i>	General	None	July 1, 2000
	2 NCAC 34 .0319 <i>Filing Call Office Locations</i>	Filings	None	July 1, 2000
	2 NCAC 34 .0330 <i>Branch Office</i>		None	July 1, 2000
	2 NCAC 34 .0509 <i>Physical Barriers for Termite Control</i>	Termites	None	July 1, 2000
STATE MARKETING AUTHORITY	2 NCAC 43L .0309 <i>Admission Regulations</i>	Regulations	None	July 1, 2000
BOARD OF AGRICULTURE	2 NCAC 52B .0207 <i>Importation Requirements: Swine</i>	Requirements	None	July 1, 2000
	2 NCAC 52B .0302 <i>Brucellosis Requirements for Sale of Cattle</i>	Cattle and swine	None	July 1, 2000
	2 NCAC 52E .0209 <i>Certificates: Cattle and Swine Removed</i>	Certification	None	July 1, 2000
AGRICULTURE AND CONSUMER SERVICES	2 NCAC 54 .0101 <i>Purpose</i>	Waste management	None	July 1, 2000
	2 NCAC 54 .0102 <i>Definitions</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
AGRICULTURE AND CONSUMER SERVICES	2 NCAC 54 .0104 Use of Grants		None	July 1, 2000
DEPARTMENT OF COMMERCE				
COMMERCE FINANCE CENTER	4 NCAC 1E .0104 Operator	Purpose	None	April 1, 1999
	4 NCAC II .0101 Background and Objectives	Purpose	Substantial	August 1, 2000
	4 NCAC II .0102 Definitions		Substantial	August 1, 2000
	4 NCAC II .0201 Date of Receipt of Applications	General requirements	Substantial	August 1, 2000
	4 NCAC II .0202 Application Categories and Requirements		Substantial	August 1, 2000
	4 NCAC II .0301 Review of Applications and Funding	Selection process	Substantial	August 1, 2000
	4 NCAC II .0302 Eligibility Requirements		Substantial	August 1, 2000
	4 NCAC II .0303 Review: APP Funding		Substantial	August 1, 2000
	4 NCAC II .0304 Eligibility Requirements		Substantial	August 1, 2000
	4 NCAC II .0401 General	Approval Criteria	Substantial	August 1, 2000
	4 NCAC II .0402 Required Findings		Substantial	August 1, 2000
	4 NCAC II .0403 Formal Applications Procedures: Denial		Substantial	August 1, 2000
	4 NCAC II .0404 Formal Application Procedures: Approval		Substantial	August 1, 2000
	4 NCAC II .0405 Findings Requirements		Substantial	August 1, 2000
	4 NCAC II .0501 General	Reservation of funds	Substantial	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date	
COMMERCE FINANCE CENTER	4 NCAC II .0502 <i>Limitations</i>		Substantial	August 1, 2000	
	4 NCAC II .0503 <i>Reversion of Funds</i>		Substantial	August 1, 2000	
	4 NCAC II .0601 <i>Reporting Requirements</i>	Reporting Requirements	Substantial	August 1, 2000	
	4 NCAC II .0701 <i>Annual Designation</i>	Designation	Substantial	August 1, 2000	
	4 NCAC II .0801 <i>Compliance with NC Environmental Rules</i>	Environmental Compliance	Substantial	August 1, 2000	
	4 NCAC 1K .0102 <i>Definitions</i>		None	April 1, 1999	
	4 NCAC 1K .0103 <i>Eligible Applicants</i>		None	April 1, 1999	
	4 NCAC 1K .0302 <i>Criteria for Making Necessary Findings</i>		None	April 1, 1999	
	4 NCAC 1K .0402 <i>Method of Payment</i>		None	April 1, 1999	
	BANKING COMMISSION	4 NCAC 3B .0101 <i>Petitions</i>	Rulemaking	None	April 1, 1999
		4 NCAC 3B .0102 <i>Notice</i>		None	April 1, 1999
		4 NCAC 3B .0103 <i>Hearings</i>		None	April 1, 1999
		4 NCAC 3H .0002 <i>Regional Bank Holding Company</i>	Applications	None	April 1, 1999
4 NCAC 3L .0101 <i>Definitions</i>		Administrative	None	July 1, 2000	
4 NCAC 3L .0102 <i>Filings</i>			None	July 1, 2000	
4 NCAC 3L .0201 <i>Application for Licensure</i>		Application	None	July 1, 2000	
4 NCAC 3L .0202 <i>Fees</i>			None	July 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
BANKING COMMISSION	4 NCAC 3L .0301 <i>Issuance</i>	Licensing	None	July 1, 2000
	4 NCAC 3L .0302 <i>Nontransferability of License</i>		None	July 1, 2000
	4 NCAC 3L .0303 <i>Annual Renewal of License</i>		None	July 1, 2000
	4 NCAC 3L .0401 <i>Posting of License</i>	Operations	None	July 1, 2000
	4 NCAC 3L .0402 <i>Surrender of License</i>		None	July 1, 2000
	4 NCAC 3L .0403 <i>Posting of Fees</i>		None	July 1, 2000
	4 NCAC 3L .0404 <i>Cash-Out Transactions</i>		None	July 1, 2000
	4 NCAC 3L .0405 <i>Limitation on Delayed Deposit Check Cashing</i>		None	July 1, 2000
	4 NCAC 3L .0501 <i>Books and Records</i>	Books and Records	None	July 1, 2000
	4 NCAC 3L .0502 <i>Examinations; Investigations</i>		None	July 1, 2000
	4 NCAC 3L .0601 <i>Amendments to Information on File</i>	Reporting requirements	None	July 1, 2000
	4 NCAC 3L .0602 <i>Expansion or Relocation</i>		None	July 1, 2000
	4 NCAC 3L .0603 <i>Impairment of Financial Requirements</i>		None	July 1, 2000
	4 NCAC 3L .0604 <i>Report of Information to Commissioner</i>		None	July 1, 2000
CAPE FEAR RIVER NAVIGATION AND PILOTAGE COMMISSION	4 NCAC 15 .0119 <i>Number of Pilots</i>	Pilot service	None	August 1, 2000
	4 NCAC 15 .0121 <i>Apprenticeship</i>		None	August 1, 2000
INFORMATION TECHNOLOGY SERVICES	4 NCAC 21A .0101 <i>Forms, Terms and Conditions</i>	Information technology procurement	State	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
INFORMATION TECHNOLOGY SERVICES	4 NCAC 21A .0102 <i>Definitions</i>		State	August 1, 2000
	4 NCAC 21A .0103 <i>Benchmark</i>		State	August 1, 2000
	4 NCAC 21B .0101 <i>Procedure</i>	Requisitioning	State	August 1, 2000
	4 NCAC 21B .0102 <i>Verbal Requests</i>		State	August 1, 2000
	4 NCAC 21B .0103 <i>Confidentiality</i>		State	August 1, 2000
	4 NCAC 21B .0201 <i>Types of Specifications</i>	Specifications	State	August 1, 2000
	4 NCAC 21B .0202 <i>Need</i>		State	August 1, 2000
	4 NCAC 21B .0203 <i>Development of Specifications</i>		State	August 1, 2000
	4 NCAC 21B .0204 <i>Articles for Special Purposes</i>		State	August 1, 2000
	4 NCAC 21B .0205 <i>Submission for Adoption</i>		State	August 1, 2000
	4 NCAC 21B .0206 <i>Copies of Specifications</i>		State	August 1, 2000
	4 NCAC 21B .0207 <i>Confidentiality</i>		State	August 1, 2000
	4 NCAC 21B .0301 <i>Procurement Procedures</i>	Procurement authorization	State	August 1, 2000
	4 NCAC 21B .0302 <i>Methods of Source Selection</i>		State	August 1, 2000
	4 NCAC 21B .0303 <i>Electronic, Facsimile and Telephone Offers</i>		State	August 1, 2000
	4 NCAC 21B .0304 <i>Recall of Offers</i>		State	August 1, 2000
4 NCAC 21B .0305 <i>Public Opening</i>		State	August 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
INFORMATION TECHNOLOGY SERVICES	4 NCAC 21B .0306 <i>Late Offers, Modifications, or Withdrawals</i>		State	August 1, 2000
	4 NCAC 21B .0307 <i>Error/Clarification</i>		State	August 1, 2000
	4 NCAC 21B .0308 <i>Extension of Acceptance Time</i>		State	August 1, 2000
	4 NCAC 21B .0309 <i>Evaluation</i>		State	August 1, 2000
	4 NCAC 21B .0310 <i>Notification of Award</i>		State	August 1, 2000
	4 NCAC 21B .0311 <i>Lack of Competition</i>		State	August 1, 2000
	4 NCAC 21B .0312 <i>Solicitation Documents</i>		State	August 1, 2000
	4 NCAC 21B .0313 <i>Division of Requirements</i>		State	August 1, 2000
	4 NCAC 21B .0314 <i>Advertisement Requirements</i>		State	August 1, 2000
	4 NCAC 21B .0315 <i>Mandatory Conferences/Site Visits</i>		State	August 1, 2000
	4 NCAC 21B .0401 <i>Basis for Rejection</i>	Rejection of offers	State	August 1, 2000
	4 NCAC 21B .0402 <i>Public Record</i>		State	August 1, 2000
	4 NCAC 21B .0403 <i>Negotiation</i>		State	August 1, 2000
	4 NCAC 21B .0501 <i>Responsibility</i>	Inspection and testing	State	August 1, 2000
	4 NCAC 21B .0502 <i>Selection</i>		State	August 1, 2000
	4 NCAC 21B .0503 <i>Samples</i>		State	August 1, 2000
	4 NCAC 21B .0504 <i>Specifications</i>		State	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
INFORMATION TECHNOLOGY SERVICES	4 NCAC 21B .0505 <i>Report of Discrepancy</i>		State	August 1, 2000
	4 NCAC 21B .0601 <i>Enforcement</i>	Guarantees and warranties	State	August 1, 2000
	4 NCAC 21B .0602 <i>Report to Purchasing</i>		State	August 1, 2000
	4 NCAC 21B .0603 <i>Responsibility</i>		State	August 1, 2000
	4 NCAC 21B .0701 <i>Use and Description</i>	Contracts	State	August 1, 2000
	4 NCAC 21B .0702 <i>Determining Factors</i>		State	August 1, 2000
	4 NCAC 21B .0703 <i>Extension of Contract Termination Dates</i>		State	August 1, 2000
	4 NCAC 21B .0801 <i>Use</i>	Partial and multiple awards	State	August 1, 2000
	4 NCAC 21B .0901 <i>Policy</i>	Waiver of competition	State	August 1, 2000
	4 NCAC 21B .0902 <i>Approval and Documentation</i>		State	August 1, 2000
	4 NCAC 21B .1001 <i>Confidentiality</i>	Miscellaneous provisions	State	August 1, 2000
	4 NCAC 21B .1002 <i>Payment Plans</i>		State	August 1, 2000
	4 NCAC 21B .1003 <i>Change in Corporate Structure</i>		State	August 1, 2000
	4 NCAC 21B .1004 <i>Purchasing from or through Employees</i>		State	August 1, 2000
	4 NCAC 21B .1005 <i>Antitrust Violations</i>		State	August 1, 2000
	4 NCAC 21B .1006 <i>Cooperative Purchasing</i>		State	August 1, 2000
4 NCAC 21B .1008 <i>Board of Awards</i>		State	August 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
INFORMATION TECHNOLOGY SERVICES	4 NCAC 21B .1009 <i>Protest Procedures</i>		State	August 1, 2000
	4 NCAC 21B .1010 <i>Right to Hearing</i>		State	August 1, 2000
	4 NCAC 21B .1011 <i>Request for Hearing</i>		State	August 1, 2000
	4 NCAC 21B .1012 <i>Definitions</i>		State	August 1, 2000
	4 NCAC 21B .1013 <i>General Provisions</i>		State	August 1, 2000
	4 NCAC 21B .1014 <i>Order for Prehearing Statements</i>		State	August 1, 2000
	4 NCAC 21B .1015 <i>Duties of the Hearing Officer</i>		State	August 1, 2000
	4 NCAC 21B .1016 <i>Consent Order; Settlement; Stipulation</i>		State	August 1, 2000
	4 NCAC 21B .1017 <i>Settlement Conference</i>		State	August 1, 2000
	4 NCAC 21B .1018 <i>dPrehearing Conference</i>		State	August 1, 2000
	4 NCAC 21B .1019 <i>Consolidation of Cases</i>		State	August 1, 2000
	4 NCAC 21B .1020 <i>Discovery</i>		State	August 1, 2000
	4 NCAC 21B .1021 <i>Subpoenas</i>		State	August 1, 2000
	4 NCAC 21B .1022 <i>Sanctions</i>		State	August 1, 2000
	4 NCAC 21B .1023 <i>Motions</i>		State	August 1, 2000
4 NCAC 21B .1024 <i>Intervention</i>		State	August 1, 2000	
4 NCAC 21B .1025 <i>Continuances</i>		State	August 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF FACILITY SERVICES	10 NCAC 1B .0420 <i>Purchase of Service vs Financial Assistance</i>		None	August 1, 2000
	10 NCAC 3R .1613 <i>Definitions</i>	General	None	July 1, 2000
	10 NCAC 3R .1615 <i>Required Performance Standards</i>		None	July 1, 2000
	10 NCAC 3R .1713 <i>Definitions</i>	Procedures	None	July 1, 2000
	10 NCAC 3R .1714 <i>Information Required of Applicant</i>		None	July 1, 2000
	10 NCAC 3R .1715 <i>Required Performance Standards</i>		None	July 1, 2000
	10 NCAC 3R .1912 <i>Definitions</i>	General	None	July 1, 2000
	10 NCAC 3R .1913 <i>Information Required of Applicant</i>		None	July 1, 2000
	10 NCAC 3R .1914 <i>Required Performance Standards</i>		None	July 1, 2000
	10 NCAC 3R .2113 <i>Definitions</i>	General	None	July 1, 2000
	10 NCAC 3R .2713 <i>Definitions</i>	General	None	July 1, 2000
	10 NCAC 3R .2715 <i>Required Performance Standards</i>		None	July 1, 2000
	10 NCAC 3R .4203 <i>Required Performance Standards</i>	Performance standards	None	July 1, 2000
	10 NCAC 3R .6201 <i>Applicability of Rules Related to 1999 State Plan</i>	Certificate of need regulations	None	August 1, 2000
	10 NCAC 3R .6202 <i>Certificate of Need Review Categories</i>		None	August 1, 2000
10 NCAC 3R .6203 <i>Certificate of Need Review Schedule</i>		None	August 1, 2000	
10 NCAC 3R .6204 <i>Multi-County Groupings</i>		None	August 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF FACILITY SERVICES	10 NCAC 3R .6205		None	August 1, 2000
	<i>Service Areas and Planning Areas</i>		None	August 1, 2000
	10 NCAC 3R .6206		None	August 1, 2000
	<i>Reallocations and Adjustments</i>		None	August 1, 2000
	10 NCAC 3R .6207		None	August 1, 2000
	<i>Acute Care Bed Need Determination</i>		None	August 1, 2000
	10 NCAC 3R .6208		None	August 1, 2000
	<i>Rehabilitation Bed Need Determination</i>		None	August 1, 2000
	10 NCAC 3R .6209		None	August 1, 2000
	<i>Ambulatory Surgical Facilities Need Determination</i>		None	August 1, 2000
	10 NCAC 3R .6210		None	August 1, 2000
	<i>Open-Heart Surgery Services</i>		None	August 1, 2000
	10 NCAC 3R .6211		None	August 1, 2000
	<i>Heart-Lung Bypass Machines</i>		None	August 1, 2000
	10 NCAC 3R .6212		None	August 1, 2000
	<i>Fixed Cardiac Catheterization Equipment</i>		None	August 1, 2000
	10 NCAC 3R .6213		None	August 1, 2000
	<i>Mobile Cardiac Catheterization Equipment</i>		None	August 1, 2000
	10 NCAC 3R .6214		None	August 1, 2000
	<i>Burn Intensive Care Services Need Determination</i>		None	August 1, 2000
10 NCAC 3R .6215		None	August 1, 2000	
<i>Positron Emission Tomography Scanners Need Deter</i>		None	August 1, 2000	
10 NCAC 3R .6216		None	August 1, 2000	
<i>Bone Marrow Transplantation Services Need Deter</i>		None	August 1, 2000	
10 NCAC 3R .6217		None	August 1, 2000	
<i>Solid Organ Transplantation Services Need</i>		None	August 1, 2000	
10 NCAC 3R .6218		None	August 1, 2000	
<i>Gamma Knife Need Determination</i>		None	August 1, 2000	
10 NCAC 3R .6219		None	August 1, 2000	
<i>Lithotripter Need Determination</i>		None	August 1, 2000	
10 NCAC 3R .6220		None	August 1, 2000	
<i>Radiation Oncology Treatment Centers Need</i>		None	August 1, 2000	
10 NCAC 3R .6221		None	August 1, 2000	
<i>Magnetic Resonance Imaging Scanners Need</i>		None	August 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF FACILITY SERVICES	10 NCAC 3R .6222		None	August 1, 2000
	<i>Nursing Care Bed Need Determination</i>		None	August 1, 2000
	10 NCAC 3R .6223		None	August 1, 2000
	<i>Home Health Agency Office Need Determination</i>		None	August 1, 2000
	10 NCAC 3R .6224		None	August 1, 2000
	<i>Dialysis Station Need Determination</i>		None	August 1, 2000
	10 NCAC 3R .6225		None	August 1, 2000
	<i>Hospice Need Determination</i>		None	August 1, 2000
	10 NCAC 3R .6226		None	August 1, 2000
	<i>Hospice Inpatient Facility Bed Need</i>		None	August 1, 2000
	10 NCAC 3R .6227		None	August 1, 2000
	<i>Psychiatric Bed Need Determination</i>		None	August 1, 2000
	10 NCAC 3R .6228		None	August 1, 2000
	<i>Chemical Dependency Treatment Bed Need</i>		None	August 1, 2000
	10 NCAC 3R .6229		None	August 1, 2000
	<i>Intermediate Care Beds for Mentally Retarded</i>		None	August 1, 2000
	10 NCAC 3R .6230		None	August 1, 2000
	<i>Policies for General Acute Care Hospitals</i>		None	August 1, 2000
	10 NCAC 3R .6231		None	August 1, 2000
	<i>Policies for Inpatient Rehabilitation Services</i>		None	August 1, 2000
10 NCAC 3R .6232		None	August 1, 2000	
<i>Policy for Ambulatory Surgical Facilities</i>		None	August 1, 2000	
10 NCAC 3R .6233		None	August 1, 2000	
<i>Policy for Provision of Hospital-Based Care</i>		None	August 1, 2000	
10 NCAC 3R .6234		None	August 1, 2000	
<i>Policy for Nursing Care Beds</i>		None	August 1, 2000	
10 NCAC 3R .6235		None	August 1, 2000	
<i>Policy for Determination of Need</i>		None	August 1, 2000	
10 NCAC 3R .6236		None	August 1, 2000	
<i>Policy for Relocation of Certain Nursing Beds</i>		None	August 1, 2000	
10 NCAC 3R .6237		None	August 1, 2000	
<i>Policy for Home Health Services</i>		None	August 1, 2000	
10 NCAC 3R .6238		None	August 1, 2000	
<i>Policy for End-Stage Renal Disease Dialysis</i>		None	August 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF FACILITY SERVICES	10 NCAC 3R .6239 <i>Policies for Psychiatric Inpatient Facilities</i>		None	August 1, 2000
	10 NCAC 3R .6240 <i>Policy for Chemical Dependency Treatment</i>		None	August 1, 2000
	10 NCAC 3R .6241 <i>Policies for Intermediate Care Facilities</i>		None	August 1, 2000
	10 NCAC 3S .0108 <i>Definitions</i>		None	July 1, 2000
	10 NCAC 3S .0109 <i>Policies and Procedures</i>		None	July 1, 2000
	10 NCAC 3S .0207 <i>Certification Required</i>		None	July 1, 2000
	10 NCAC 3S .0208 <i>Types of Certification</i>		None	July 1, 2000
	10 NCAC 3S .0209 <i>Application</i>		None	July 1, 2000
	10 NCAC 3S .0210 <i>Inspection</i>		None	July 1, 2000
	10 NCAC 3S .0211 <i>Review Team: Review Process</i>		None	July 1, 2000
	10 NCAC 3S .0213 <i>Adverse Action</i>		None	July 1, 2000
	10 NCAC 3S .0214 <i>Procedure for Appeal</i>		None	July 1, 2000
	10 NCAC 3S .0307 <i>Composition of Staff</i>		None	July 1, 2000
	10 NCAC 3S .0308 <i>Minimal Education Standards</i>		None	July 1, 2000
	10 NCAC 3S .0407 <i>Admission Criteria</i>		None	July 1, 2000
	10 NCAC 3S .0408 <i>Patient Assessment</i>		None	July 1, 2000
10 NCAC 3S .0506 <i>Team Coordination and Staffings</i>		None	July 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF FACILITY SERVICES	10 NCAC 3S .0507		None	July 1, 2000
	<i>Cardiac Therapy</i>		None	July 1, 2000
	10 NCAC 3S .0508		None	July 1, 2000
	<i>Diet Therapy</i>		None	July 1, 2000
	10 NCAC 3S .0509		None	July 1, 2000
	<i>Psychological Services</i>		None	July 1, 2000
	10 NCAC 3S .0510		None	July 1, 2000
	<i>Vocational Rehabilitation Counseling and Services</i>		None	July 1, 2000
	10 NCAC 3S .0511		None	July 1, 2000
	<i>Review</i>		None	July 1, 2000
	10 NCAC 3S .0614		None	July 1, 2000
	<i>Progress Evaluation and Follow-Up Procedures</i>		None	July 1, 2000
	10 NCAC 3S .0615		None	July 1, 2000
	<i>Medical Follow-Up</i>		None	July 1, 2000
	10 NCAC 3S .0616		None	July 1, 2000
	<i>Cardiac Therapy Follow-Up</i>		None	July 1, 2000
	10 NCAC 3S .0617		None	July 1, 2000
	<i>Dietary Follow-Up</i>		None	July 1, 2000
	10 NCAC 3S .0618		None	July 1, 2000
	<i>Psychological Follow-Up</i>		None	July 1, 2000
	10 NCAC 3S .0619		None	July 1, 2000
	<i>Vocational Rehabilitation Follow-Up</i>		None	July 1, 2000
	10 NCAC 3S .0706		None	July 1, 2000
	<i>Criteria for Discharge</i>		None	July 1, 2000
	10 NCAC 3S .0707		None	July 1, 2000
	<i>Discharge Plan</i>		None	July 1, 2000
	10 NCAC 3S .0806		None	July 1, 2000
	<i>Policies and Procedures</i>		None	July 1, 2000
	10 NCAC 3S .0807		None	July 1, 2000
	<i>Record Review Consent</i>		None	July 1, 2000
	10 NCAC 3S .0808		None	July 1, 2000
	<i>Content of Medical Record</i>		None	July 1, 2000
	10 NCAC 3S .0901		None	July 1, 2000
	<i>Emergency Plan</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF FACILITY SERVICES	10 NCAC 3S .0902 <i>Emergency Equipment</i>		None	July 1, 2000
	10 NCAC 3S .0903 <i>Personnel</i>		None	July 1, 2000
	10 NCAC 3S .0904 <i>Emergency Drills</i>		None	July 1, 2000
	10 NCAC 3S .1001 <i>Program Requirements</i>		None	July 1, 2000
	10 NCAC 3S .1002 <i>Graded Exercise Testing Laboratory Evaluation</i>		None	July 1, 2000
	10 NCAC 3S .1003 <i>Cardiac Therapy</i>		None	July 1, 2000
	10 NCAC 3S .1004 <i>Dietary Program</i>		None	July 1, 2000
	10 NCAC 3S .1005 <i>Psychological Program</i>		None	July 1, 2000
	10 NCAC 3S .1006 <i>Vocational Rehabilitation Program</i>		None	July 1, 2000
	10 NCAC 3S .1101 <i>Definitions</i>	Certification	None	July 1, 2000
	10 NCAC 3S .1201 <i>Certification Required</i>	Certification	None	July 1, 2000
	10 NCAC 3S .1202 <i>Certification Process</i>		None	July 1, 2000
	10 NCAC 3S .1203 <i>Certificate Renewal</i>		None	July 1, 2000
	10 NCAC 3S .1204 <i>Certification Following Program Changes</i>		None	July 1, 2000
	10 NCAC 3S .1205 <i>Inspections</i>		None	July 1, 2000
	10 NCAC 3S .1206 <i>Adverse Action</i>		None	July 1, 2000
	10 NCAC 3S .1301 <i>Staff Requirements and Responsibilities</i>	Administration	None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF FACILITY SERVICES	10 NCAC 3S .1302 <i>Policies and Procedures</i>		None	July 1, 2000
	10 NCAC 3S .1303 <i>Continuous Quality Improvement</i>		None	July 1, 2000
	10 NCAC 3S .1401 <i>Patient Rights</i>	Patient rights	None	July 1, 2000
	10 NCAC 3S .1501 <i>Admission and Discharge</i>	Admission and discharge	None	July 1, 2000
	10 NCAC 3S .1601 <i>Patient Assessment</i>	Patient assessment	None	July 1, 2000
	10 NCAC 3S .1701 <i>Care Planning</i>	Care planning and follow-up	None	July 1, 2000
	10 NCAC 3S .1702 <i>Follow-up Evaluation</i>		None	July 1, 2000
	10 NCAC 3S .1801 <i>Personnel</i>	Provision of services	None	July 1, 2000
	10 NCAC 3S .1802 <i>Exercise Therapy</i>		None	July 1, 2000
	10 NCAC 3S .1803 <i>Nutrition Services</i>		None	July 1, 2000
	10 NCAC 3S .1804 <i>Mental Health Services</i>		None	July 1, 2000
	10 NCAC 3S .1805 <i>Vocational Rehabilitation Counseling and Services</i>		None	July 1, 2000
	10 NCAC 3S .1806 <i>Patient Education</i>		None	July 1, 2000
	10 NCAC 3S .1901 <i>Emergency Plan</i>	Emergencies	None	July 1, 2000
	10 NCAC 3S .1902 <i>Emergency Equipment</i>		None	July 1, 2000
	10 NCAC 3S .1903 <i>Emergency Drills</i>		None	July 1, 2000
	10 NCAC 3S .2001 <i>Medical Records - Policies and Procedures</i>	Medical records	None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF FACILITY SERVICES	10 NCAC 3S .2002 <i>Content of Medical Records</i>		None	July 1, 2000
	10 NCAC 3S .2101 <i>Physical Environment and Equipment</i>	Facilities and equipment	None	July 1, 2000
	10 NCAC 3S .2102 <i>Graded Exercise Testing Laboratory</i>		None	July 1, 2000
	10 NCAC 3S .2103 <i>Exercise Therapy</i>		None	July 1, 2000
	10 NCAC 3S .2104 <i>Nutrition Services</i>		None	July 1, 2000
	10 NCAC 3S .2105 <i>Mental Health Services</i>		None	July 1, 2000
	10 NCAC 3S .2106 <i>Vocational Rehabilitation Services</i>		None	July 1, 2000
	10 NCAC 3U .0102 <i>Definitions</i>	General	None	July 1, 2000
	10 NCAC 3U .2501 <i>Scope</i>	Care for school-aged children	None	July 1, 2000
	10 NCAC 3U .2502 <i>Special Provisions for Licensure</i>		None	July 1, 2000
	10 NCAC 3U .2510 <i>Staff Qualifications</i>		Local	July 1, 2000
	10 NCAC 3U .2804 <i>Education Standards for a Rated License</i>	Licenses	None	July 1, 2000
	10 NCAC 3U .2811 <i>Education Standards for Centers</i>		State	July 1, 2000
	10 NCAC 14V .4301 <i>Scope</i>	Therapeutic community	None	April 1, 1999
	10 NCAC 14V .4302 <i>Definitions</i>		None	April 1, 1999
	10 NCAC 14V .4303 <i>Staff</i>		None	April 1, 1999
	10 NCAC 14V .4304 <i>Operations</i>		None	April 1, 1999

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
COMMISSION FOR THE BLIND	10 NCAC 14V .4305 <i>Client Rights</i>		None	April 1, 1999
	10 NCAC 14V .4306 <i>Physical Plant</i>		None	April 1, 1999
	10 NCAC 19G .0823 <i>Secretary's Review & Final Decision</i>	Judicial review	None	August 1, 2000
DIVISION OF VOCATIONAL REHABILITATION SERVICES	10 NCAC 19G .0827 <i>Civil Action</i>		None	August 1, 2000
	10 NCAC 20B .0201 <i>Applicability of Rules</i>	General	None	July 1, 2000
	10 NCAC 20B .0202 <i>Written Information for Applicants and Clients</i>		None	July 1, 2000
	10 NCAC 20B .0203 <i>Request for Administrative Review</i>		None	July 1, 2000
	10 NCAC 20B .0204 <i>Division Actions in Response to Request</i>		None	July 1, 2000
	10 NCAC 20B .0205 <i>Scheduling and Notice of Administrative Review</i>		None	July 1, 2000
	10 NCAC 20B .0206 <i>Appointment of Hearing Officer and Mediator</i>		None	July 1, 2000
	10 NCAC 20B .0207 <i>Scheduling and Notice of Mediation</i>		None	July 1, 2000
	10 NCAC 20B .0208 <i>Administrative Review</i>		None	July 1, 2000
	10 NCAC 20B .0209 <i>Response to Administrative Review Decision</i>		None	July 1, 2000
	10 NCAC 20B .0210 <i>Mediation</i>		None	July 1, 2000
	10 NCAC 20B .0211 <i>Procedures Governing Hearing</i>		None	July 1, 2000
	10 NCAC 20B .0221 <i>Conduct of Hearing</i>		None	July 1, 2000
	10 NCAC 20B .0223 <i>Hearing Officer's Decision</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DIVISION OF VOCATIONAL REHABILITATION SERVICES	10 NCAC 20B .0224 <i>Secretary's Review and Final Decision</i>	Review	None	July 1, 2000
	10 NCAC 20B .0225 <i>Extensions of Time</i>		None	July 1, 2000
	10 NCAC 20B .0228 <i>Civil Action</i>		None	July 1, 2000
DIVISION OF MEDICAL ASSISTANCE	10 NCAC 26H .0304 <i>Rate Setting Method for Non-State Facilities</i>	Non-State facilities	State, local	April 1, 1999
	10 NCAC 26H .0401 <i>Physician's Fee Schedule</i>	Provider fee schedules	None	August 1, 2000
	10 NCAC 29C .0103 <i>Benefit Levels</i>	Payments	None	August 1, 2000
SOCIAL SERVICES COMMISSION	10 NCAC 41E .0401 <i>Consultative Services</i>	Administration	None	July 1, 2000
	10 NCAC 41E .0403 <i>Definitions</i>		None	July 1, 2000
	10 NCAC 41E .0404 <i>Licensing Process</i>		None	July 1, 2000
	10 NCAC 41E .0405 <i>Kinds of Licenses</i>		None	July 1, 2000
	10 NCAC 41E .0406 <i>Licensing Actions</i>		None	July 1, 2000
	10 NCAC 41E .0501 <i>Incorporation</i>	Minimum standards	None	July 1, 2000
	10 NCAC 41E .0502 <i>Governing Body</i>		None	July 1, 2000
	10 NCAC 41E .0503 <i>Finances</i>		None	July 1, 2000
	10 NCAC 41E .0504 <i>Staff</i>		None	July 1, 2000
	10 NCAC 41E .0505 <i>Personnel Policies</i>		None	July 1, 2000
	10 NCAC 41E .0506 <i>Social Services: Admissions: Policies</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
SOCIAL SERVICES COMMISSION	10 NCAC 41E .0507		None	July 1, 2000
	<i>Social Services: Discharge Policies</i>		None	July 1, 2000
	10 NCAC 41E .0508		None	July 1, 2000
	<i>Social Services: Services to Child and Family</i>		None	July 1, 2000
	10 NCAC 41E .0509		None	July 1, 2000
	<i>Social Services: Visiting Policies</i>		None	July 1, 2000
	10 NCAC 41E .0510		None	July 1, 2000
	<i>Social Services: Follow Up Services</i>		None	July 1, 2000
	10 NCAC 41E .0511		None	July 1, 2000
	<i>Social Services: Records and Reports</i>		None	July 1, 2000
	10 NCAC 41E .0512		None	July 1, 2000
	<i>Child Care and Development: Program</i>		None	July 1, 2000
	10 NCAC 41E .0513		None	July 1, 2000
	<i>Education</i>		None	July 1, 2000
	10 NCAC 41E .0514		None	July 1, 2000
<i>Child Care and Development: Health</i>		None	July 1, 2000	
10 NCAC 41E .0515		None	July 1, 2000	
<i>Child Care and Development: Recreation</i>		None	July 1, 2000	
10 NCAC 41E .0516		None	July 1, 2000	
<i>Discipline</i>		None	July 1, 2000	
10 NCAC 41E .0517		None	July 1, 2000	
<i>Work</i>		None	July 1, 2000	
10 NCAC 41E .0518		None	July 1, 2000	
<i>Exploitation</i>	Minimum standards	None	July 1, 2000	
10 NCAC 41E .0601		None	July 1, 2000	
<i>Purpose</i>		None	July 1, 2000	
10 NCAC 41E .0602		None	July 1, 2000	
<i>Finances</i>		None	July 1, 2000	
10 NCAC 41E .0603		None	July 1, 2000	
<i>Staff</i>		None	July 1, 2000	
10 NCAC 41E .0604		None	July 1, 2000	
<i>Personnel Policies</i>		None	July 1, 2000	
10 NCAC 41E .0605		None	July 1, 2000	
<i>Social Services</i>		None	July 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
SOCIAL SERVICES COMMISSION	10 NCAC 41E .0606 <i>Child Care and Development</i>		None	July 1, 2000
	10 NCAC 41E .0701 <i>Construction: General Requirements</i>	Minimum standards for group homes	None	July 1, 2000
	10 NCAC 41E .0702 <i>Construction: Functional Requirements</i>		None	July 1, 2000
	10 NCAC 41E .0703 <i>Construction: Fire Safety Regulations</i>		None	July 1, 2000
	10 NCAC 41E .0704 <i>Construction: Health Regulations</i>		None	July 1, 2000
	10 NCAC 41G .0501 <i>Definitions</i>	Private institution organization	None	July 1, 2000
	10 NCAC 41G .0502 <i>Purpose</i>		None	July 1, 2000
	10 NCAC 41G .0504 <i>Location</i>		None	July 1, 2000
	10 NCAC 41G .0505 <i>Governing Body</i>		None	July 1, 2000
	10 NCAC 41G .0506 <i>Finances</i>		None	July 1, 2000
	10 NCAC 41G .0507 <i>Staff: General</i>		None	July 1, 2000
	10 NCAC 41G .0508 <i>The Director</i>		None	July 1, 2000
	10 NCAC 41G .0509 <i>Supervisory Staff/Professional Services</i>		None	July 1, 2000
	10 NCAC 41G .0510 <i>Clerical Staff</i>		None	July 1, 2000
	10 NCAC 41G .0511 <i>Child Care Staff</i>		None	July 1, 2000
10 NCAC 41G .0512 <i>Maintenance Staff</i>		None	July 1, 2000	
10 NCAC 41G .0513 <i>Personnel Policies</i>		None	July 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
SOCIAL SERVICES COMMISSION	10 NCAC 41G .0601 <i>Staff</i> 10 NCAC 41G .0602 <i>Admission Services</i> 10 NCAC 41G .0603 <i>Residential Services</i> 10 NCAC 41G .0604 <i>Discharge Services</i> 10 NCAC 41G .0605 <i>Records</i> 10 NCAC 41G .0606 <i>Reports</i> 10 NCAC 41G .0701 <i>Social Aspects of Care</i> 10 NCAC 41G .0702 <i>Recreation</i> 10 NCAC 41G .0703 <i>Education</i> 10 NCAC 41G .0704 <i>Religious Training</i> 10 NCAC 41G .0705 <i>Medical Program</i> 10 NCAC 41G .0706 <i>Dental Program</i> 10 NCAC 41G .0707 <i>Routine Health Care and Personal Hygiene</i> 10 NCAC 41G .0708 <i>Nutrition</i> 10 NCAC 41G .0801 <i>Construction</i> 10 NCAC 41G .0802 <i>Requirements for Approval</i> 10 NCAC 41G .0803 <i>General Requirements</i>	Private institution social services	None	July 1, 2000

	AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	SOCIAL SERVICES COMMISSION	10 NCAC 41G .0804 <i>Fire Safety</i>		None	July 1, 2000
		10 NCAC 41G .0805 <i>General Sanitation</i>		None	July 1, 2000
		10 NCAC 41G .0806 <i>Bath and Toilet Facilities</i>		None	July 1, 2000
		10 NCAC 41G .0807 <i>Sleeping Facilities</i>		None	July 1, 2000
		10 NCAC 41G .0808 <i>Heat, Light, and Ventilation</i>		None	July 1, 2000
		10 NCAC 41G .0809 <i>Inspections</i>		None	July 1, 2000
		10 NCAC 41G .0902 <i>License</i>	Licenses	None	July 1, 2000
		10 NCAC 41G .1001 <i>Definitions</i>	Public institution organization	None	July 1, 2000
		10 NCAC 41G .1002 <i>Purpose</i>		None	July 1, 2000
		10 NCAC 41G .1004 <i>Location</i>		None	July 1, 2000
		10 NCAC 41G .1005 <i>Governing Body</i>		None	July 1, 2000
		10 NCAC 41G .1006 <i>Finances</i>		None	July 1, 2000
		10 NCAC 41G .1007 <i>Staff: General</i>		None	July 1, 2000
		10 NCAC 41G .1008 <i>The Director</i>		None	July 1, 2000
		10 NCAC 41G .1009 <i>Supervisory Staff/Professional Services</i>		None	July 1, 2000
		10 NCAC 41G .1010 <i>Clerical Staff</i>		None	July 1, 2000
		10 NCAC 41G .1011 <i>Child Care Staff</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
SOCIAL SERVICES COMMISSION	10 NCAC 41G .1012 <i>Maintenance Staff</i>		None	July 1, 2000
	10 NCAC 41G .1013 <i>Personnel Policies</i>		None	July 1, 2000
	10 NCAC 41G .1101 <i>Staff</i>	Public institution social services	None	July 1, 2000
	10 NCAC 41G .1102 <i>Admission Services</i>		None	July 1, 2000
	10 NCAC 41G .1103 <i>Residential Services</i>		None	July 1, 2000
	10 NCAC 41G .1104 <i>Discharge Services</i>		None	July 1, 2000
	10 NCAC 41G .1105 <i>Records</i>		None	July 1, 2000
	10 NCAC 41G .1106 <i>Reports</i>		None	July 1, 2000
	10 NCAC 41G .1201 <i>Social Aspects of Care</i>	Public institution child care	None	July 1, 2000
	10 NCAC 41G .1202 <i>Recreation</i>		None	July 1, 2000
	10 NCAC 41G .1203 <i>Education</i>		None	July 1, 2000
	10 NCAC 41G .1204 <i>Religious Training</i>		None	July 1, 2000
	10 NCAC 41G .1205 <i>Medical Program</i>		None	July 1, 2000
	10 NCAC 41G .1206 <i>Dental Program</i>		None	July 1, 2000
	10 NCAC 41G .1207 <i>Routine Health Care and Personal Hygiene</i>		None	July 1, 2000
	10 NCAC 41G .1208 <i>Nutrition</i>		None	July 1, 2000
10 NCAC 41G .1301 <i>Construction</i>	Public institution buildings	None	July 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
SOCIAL SERVICES COMMISSION	10 NCAC 41G .1302 <i>Requirements for Approval</i>		None	July 1, 2000
	10 NCAC 41G .1303 <i>General Requirements</i>		None	July 1, 2000
	10 NCAC 41G .1304 <i>Fire Safety</i>		None	July 1, 2000
	10 NCAC 41G .1305 <i>Health Aspects</i>		None	July 1, 2000
	10 NCAC 41G .1306 <i>Bath and Toilet Facilities</i>		None	July 1, 2000
	10 NCAC 41G .1307 <i>Sleeping Facilities</i>		None	July 1, 2000
	10 NCAC 41G .1308 <i>Heat, Light, and Ventilation</i>		None	July 1, 2000
	10 NCAC 41G .1309 <i>Inspections</i>		None	July 1, 2000
	10 NCAC 41G .1402 <i>License</i>	Licenses	None	July 1, 2000
	10 NCAC 41H .0304 <i>Services to Adoptive Applicants</i>	Applicants	None	July 17, 2000
	10 NCAC 41P .0106 <i>Adoptive Home Recruitment</i>	Adoptive homes	None	July 17, 2000
	10 NCAC 41R .0101 <i>Applicability</i>	Licensing standards	None	July 1, 2000
	10 NCAC 41R .0102 <i>Administration and Organization</i>		None	July 1, 2000
	10 NCAC 41R .0103 <i>Program Requirements and Services</i>		None	July 1, 2000
	10 NCAC 41R .0104 <i>Facilities</i>		None	July 1, 2000
	10 NCAC 41R .0105 <i>Transportation</i>		None	July 1, 2000
10 NCAC 41R .0106 <i>Daily Life</i>		None	July 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
SOCIAL SERVICES COMMISSION	10 NCAC 41R .0107 <i>Education</i>		None	July 1, 2000
	10 NCAC 41S .0101 <i>Licensing Actions</i>	General licensing requirements	None	July 1, 2000
	10 NCAC 41S .0102 <i>Licensing Process</i>		None	July 1, 2000
	10 NCAC 41S .0201 <i>Definitions</i>	General provisions	None	July 1, 2000
	10 NCAC 41S .0202 <i>Responsibility to Division of Social Services</i>		None	July 1, 2000
	10 NCAC 41S .0203 <i>Substantiations of Neglect Against Facility</i>		None	July 1, 2000
	10 NCAC 41S .0204 <i>Licensure Procedures</i>		None	July 1, 2000
	10 NCAC 41S .0301 <i>Governance</i>	Child care facility	None	July 1, 2000
	10 NCAC 41S .0302 <i>Responsibilities of the Governing Body</i>		None	July 1, 2000
	10 NCAC 41S .0303 <i>Finances</i>		None	July 1, 2000
	10 NCAC 41S .0304 <i>Internal Operating Procedures</i>		None	July 1, 2000
	10 NCAC 41S .0305 <i>Recordkeeping and Reporting</i>		None	July 1, 2000
	10 NCAC 41S .0306 <i>Client Rights</i>		None	July 1, 2000
	10 NCAC 41S .0307 <i>Grievance Procedures</i>		None	July 1, 2000
	10 NCAC 41S .0401 <i>Personnel Policies</i>	Personnel	None	July 1, 2000
	10 NCAC 41S .0402 <i>Personnel Deployment</i>		None	July 1, 2000
	10 NCAC 41S .0403 <i>Personnel File</i>		None	July 1, 2000

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SOCIAL SERVICES COMMISSION	10 NCAC 41S .0404		None	July 1, 2000	
	<i>Personnel Qualifications</i>		None	July 1, 2000	
	10 NCAC 41S .0405		None	July 1, 2000	
	<i>Personnel Positions</i>		None	July 1, 2000	
	10 NCAC 41S .0406		None	July 1, 2000	
	<i>Auxiliary Services Personnel</i>		None	July 1, 2000	
	10 NCAC 41S .0407		None	July 1, 2000	
	<i>Volunteers</i>		None	July 1, 2000	
	10 NCAC 41S .0501		Admission	None	July 1, 2000
	<i>Admission Policies</i>		None	July 1, 2000	
	10 NCAC 41S .0502		None	July 1, 2000	
	<i>Admission Procedures</i>		None	July 1, 2000	
	10 NCAC 41S .0503		None	July 1, 2000	
	<i>Admission Agreement</i>		None	July 1, 2000	
	10 NCAC 41S .0504		None	July 1, 2000	
	<i>Orientation</i>		None	July 1, 2000	
10 NCAC 41S .0505		None	July 1, 2000		
<i>Discharge Policies and Procedures</i>		None	July 1, 2000		
10 NCAC 41S .0506		None	July 1, 2000		
<i>Client Records</i>		Policies and procedures	None	July 1, 2000	
10 NCAC 41S .0601		None	July 1, 2000		
<i>Program Policies and Practices</i>		None	July 1, 2000		
10 NCAC 41S .0602		None	July 1, 2000		
<i>Family Involvement</i>		None	July 1, 2000		
10 NCAC 41S .0603		None	July 1, 2000		
<i>Visiting Resources</i>		None	July 1, 2000		
10 NCAC 41S .0604		None	July 1, 2000		
<i>Health Services</i>		None	July 1, 2000		
10 NCAC 41S .0605		None	July 1, 2000		
<i>Routine Aspects of Health</i>		None	July 1, 2000		
10 NCAC 41S .0606		None	July 1, 2000		
<i>Nutrition</i>		None	July 1, 2000		
10 NCAC 41S .0607		None	July 1, 2000		
<i>Health Education</i>		None	July 1, 2000		

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
SOCIAL SERVICES COMMISSION	10 NCAC 41S .0608 <i>Educational and Vocational Services</i>	Buildings	None	July 1, 2000
	10 NCAC 41S .0609 <i>Recreation and Leisure Activities</i>		None	July 1, 2000
	10 NCAC 41S .0610 <i>Religion and Spiritual</i>		None	July 1, 2000
	10 NCAC 41S .0611 <i>Personal Possessions and Money</i>		None	July 1, 2000
	10 NCAC 41S .0612 <i>Work</i>		None	July 1, 2000
	10 NCAC 41S .0613 <i>Discipline and Behavior Management</i>		None	July 1, 2000
	10 NCAC 41S .0614 <i>Incident Reports</i>		None	July 1, 2000
	10 NCAC 41S .0615 <i>Searches</i>		None	July 1, 2000
	10 NCAC 41S .0701 <i>Requirements for Approval</i>		None	July 1, 2000
	10 NCAC 41S .0702 <i>Construction and Renovation</i>		None	July 1, 2000
	10 NCAC 41S .0703 <i>Applicable Building Codes</i>		None	July 1, 2000
	10 NCAC 41S .0704 <i>Fire and Building Safety</i>		None	July 1, 2000
	10 NCAC 41S .0705 <i>General Sanitation</i>		None	July 1, 2000
	10 NCAC 41S .0706 <i>Bathing and Toilet Areas</i>		None	July 1, 2000
	10 NCAC 41S .0707 <i>Sleeping Areas</i>		None	July 1, 2000
	10 NCAC 41S .0708 <i>Living/Activity Areas</i>		None	July 1, 2000
	10 NCAC 41S .0709 <i>Dining Areas</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
SOCIAL SERVICES COMMISSION	10 NCAC 41S .0710 Heat, Light and Ventilation		None	July 1, 2000
	10 NCAC 41S .0711 Exterior Space		None	July 1, 2000
	10 NCAC 41S .0712 Inspections		None	July 1, 2000
	10 NCAC 41S .0713 Vehicles Used for Transportation of Children		None	July 1, 2000
	10 NCAC 41T .0101 Applicability	Children's foster care camps	None	July 1, 2000
	10 NCAC 41T .0102 Admission Criteria		None	July 1, 2000
	10 NCAC 41T .0103 Personnel		None	July 1, 2000
	10 NCAC 41T .0104 Service Planning		None	July 1, 2000
	10 NCAC 41T .0105 Service Delivery		None	July 1, 2000
	10 NCAC 41T .0106 Buildings, Grounds & Equipment		None	July 1, 2000
	10 NCAC 41T .0201 Applicability	Emergency shelter care program	None	July 1, 2000
	10 NCAC 41T .0202 Admission Procedures		None	July 1, 2000
	10 NCAC 41T .0203 Admission Criteria		None	July 1, 2000
	10 NCAC 41T .0204 Recordkeeping		None	July 1, 2000
	10 NCAC 41T .0205 Service Planning		None	July 1, 2000
	10 NCAC 41T .0206 Discharge Services		None	July 1, 2000
	10 NCAC 42B .1201 Personnel Requirements	Personnel	None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	10 NCAC 42B .1213 <i>Qualifications of Medication Aides</i>		State	July 1, 2000
	10 NCAC 42B .1214 <i>Medication Administration Competency Evaluation</i>		None	July 1, 2000
	10 NCAC 42B .1407 <i>Storage Areas</i>	Storage	None	July 1, 2000
	10 NCAC 42B .1707 <i>Procedures for Discharge</i>	Discharge	None	July 1, 2000
	10 NCAC 42B .1803 <i>Medications</i>	Medication	None	July 1, 2000
	10 NCAC 42B .2406 <i>Health Care Personnel Registry</i>	Health care	None	July 1, 2000
	10 NCAC 42B .2501 <i>Definitions</i>	General	None	July 1, 2000
	10 NCAC 42B .2502 <i>Persons Not Eligible for New Adult Care Home</i>		None	July 1, 2000
	10 NCAC 42B .2503 <i>Adult Care Homes not Eligible</i>		None	July 1, 2000
	10 NCAC 42C .2005 <i>Other Personnel Requirements</i>	Personnel	None	July 1, 2000
	10 NCAC 42C .2011 <i>Staff Training and Competency</i>		None	July 1, 2000
	10 NCAC 42C .2012 <i>Training Program and Competency Evaluation</i>		None	July 1, 2000
	10 NCAC 42C .2013 <i>Qualifications of Medication Aides</i>		State	July 1, 2000
	10 NCAC 42C .2014 <i>Medication Administration Competency Evaluation</i>		None	July 1, 2000
	10 NCAC 42C .2015 <i>Health Care Personnel Registry</i>		None	July 1, 2000
	10 NCAC 42C .2207 <i>Storage Areas</i>	Storage	None	July 1, 2000
	10 NCAC 42C .2214 <i>Building Service Equipment</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	10 NCAC 42C .2302 <i>Health Care</i>	Medical care	None	July 1, 2000
	10 NCAC 42C .2501 <i>Other Living Arrangements</i>	Residents	None	July 1, 2000
	10 NCAC 42C .2505 <i>Requirements for Discharge or Transfer</i>		None	July 1, 2000
	10 NCAC 42C .2703 <i>Management of Drugs</i>	Drugs	None	July 1, 2000
	10 NCAC 42C .3401 <i>The License</i>	Licenses	State	July 1, 2000
	10 NCAC 42C .3402 <i>Renewal of License</i>		None	July 1, 2000
	10 NCAC 42C .3701 <i>Resident Assessment</i>	Facilities	None	July 1, 2000
	10 NCAC 42C .3703 <i>Licensed Health Professional Support</i>		None	July 1, 2000
	10 NCAC 42C .3801 <i>Medication Administration Policies and Procedures</i>	Medication	None	July 1, 2000
	10 NCAC 42C .3802 <i>Medication Orders</i>		None	July 1, 2000
	10 NCAC 42C .3803 <i>Medication Labels</i>		None	July 1, 2000
	10 NCAC 42C .3804 <i>Medication Administration</i>		None	July 1, 2000
	10 NCAC 42C .3805 <i>Self-Administration of Medications</i>		None	July 1, 2000
	10 NCAC 42C .3806 <i>Medication Storage</i>		None	July 1, 2000
	10 NCAC 42C .3807 <i>Medication Disposition</i>		None	July 1, 2000
	10 NCAC 42C .3808 <i>Controlled Substances</i>		None	July 1, 2000
	10 NCAC 42C .3809 <i>Pharmaceutical Care</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	10 NCAC 42C .3810 <i>Pharmaceutical Services</i>		None	July 1, 2000
	10 NCAC 42C .3901 <i>Definitions</i>	General	None	July 1, 2000
	10 NCAC 42C .3902 <i>Persons Not Eligible for New Adult Care Home</i>		None	July 1, 2000
	10 NCAC 42C .3903 <i>Adult Care Homes</i>		None	July 1, 2000
	10 NCAC 42D .1301 <i>Management of Facilities</i>	Facilities management	None	July 1, 2000
	10 NCAC 42D .1302 <i>The Co-Administrator</i>		None	July 1, 2000
	10 NCAC 42D .1303 <i>Management and Personal Care Aide Supervision</i>		None	July 1, 2000
	10 NCAC 42D .1304 <i>Management of Facilities</i>		State	July 1, 2000
	10 NCAC 42D .1401 <i>Qualifications of Administrator</i>	Qualifications	None	July 1, 2000
	10 NCAC 42D .1402 <i>Qualifications of Supervisor-in-Charge</i>		None	July 1, 2000
	10 NCAC 42D .1407 <i>Staffing</i>		State, substantial	July 1, 2000
	10 NCAC 42D .1410 <i>Staff Competency and Training</i>		None	July 1, 2000
	10 NCAC 42D .1411 <i>Training Program and Competency Evaluation</i>		None	July 1, 2000
	10 NCAC 42D .1412 <i>Certification of administrator</i>		None	July 1, 2000
	10 NCAC 42D .1413 <i>Responsibilities and Qualifications</i>		State, substantial	July 1, 2000
	10 NCAC 42D .1414 <i>Qualifications of Medication Staff</i>		State	July 1, 2000
	10 NCAC 42D .1415 <i>Medication Administration Competency Evaluation</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	10 NCAC 42D .1416 <i>Staffing Chart</i>		None	July 1, 2000
	10 NCAC 42D .1503 <i>Physical Environment</i>	Living arrangements	None	July 1, 2000
	10 NCAC 42D .1605 <i>Other Requirements</i>	Building	None	July 1, 2000
	10 NCAC 42D .1804 <i>Management of Drugs</i>	Medications	None	July 1, 2000
	10 NCAC 42D .1821 <i>Renewal of License</i>		None	July 1, 2000
	10 NCAC 42D .1831 <i>Health Care Personnel Registry</i>		None	July 1, 2000
	10 NCAC 42D .1901 <i>Definitions Applicable to Special Care Units</i>	Special care	None	July 1, 2000
	10 NCAC 42D .1902 <i>Special Care Unit Disclosure</i>		None	July 1, 2000
	10 NCAC 42D .1903 <i>Licensure of Facilities with Special Care Units</i>		None	July 1, 2000
	10 NCAC 42D .1904 <i>Special Care Unit Building Requirements</i>		None	July 1, 2000
	10 NCAC 42D .1905 <i>Special Care Unit Policies and Procedures</i>		None	July 1, 2000
	10 NCAC 42D .1906 <i>Admission to the Special Care Unit</i>		None	July 1, 2000
	10 NCAC 42D .1907 <i>Special Care Unit Resident Profile</i>		None	July 1, 2000
	10 NCAC 42D .1908 <i>Special Care Unit Staffing</i>		None	July 1, 2000
	10 NCAC 42D .1909 <i>Special Care Unit Staff Orientation</i>		None	July 1, 2000
	10 NCAC 42D .1910 <i>Other Applicable Rules for Special Care Units</i>		None	July 1, 2000
	10 NCAC 42D .2001 <i>Definitions Applicable to Special Care Units</i>	General	None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	10 NCAC 42D .2002 <i>Special Care Unit Disclosure</i>		None	July 1, 2000
	10 NCAC 42D .2003 <i>Licensure of Facilities with Special Care Units</i>		None	July 1, 2000
	10 NCAC 42D .2004 <i>Special Care Unit Building Requirements</i>		None	July 1, 2000
	10 NCAC 42D .2005 <i>Special Care Unit Policies and Procedures</i>		None	July 1, 2000
	10 NCAC 42D .2006 <i>Admission to the Special Care Unit</i>		None	July 1, 2000
	10 NCAC 42D .2007 <i>Special Care Unit Resident Profile</i>		None	July 1, 2000
	10 NCAC 42D .2008 <i>Special Care Unit Staffing</i>		None	July 1, 2000
	10 NCAC 42D .2009 <i>Special Care Unit Staff Orientation</i>		None	July 1, 2000
	10 NCAC 42D .2010 <i>Residents' Rights</i>		None	July 1, 2000
	10 NCAC 42D .2011 <i>Other Applicable Rules for Special Care Units</i>		None	July 1, 2000
	10 NCAC 42D .2201 <i>Definitions</i>	Adult care homes	None	July 1, 2000
	10 NCAC 42D .2202 <i>Persons Not Eligible for New Adult Care Home Licen</i>		None	July 1, 2000
	10 NCAC 42D .2203 <i>Adult Care Homes</i>		None	July 1, 2000
	10 NCAC 42E .0801 <i>Definitions</i>	Definitions	None	July 17, 2000
	10 NCAC 42E .1501 <i>Disclosure</i>	Special care	None	July 17, 2000
	10 NCAC 42E .1502 <i>Policies and Procedures</i>		None	July 17, 2000
	10 NCAC 42E .1503 <i>The Facility0-Special Care Services</i>		None	July 17, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	10 NCAC 42E .1504 <i>Enrollment-Special Care Services</i>		None	July 17, 2000
	10 NCAC 42E .1505 <i>Individual Service Plans</i>		None	July 17, 2000
	10 NCAC 42E .1506 <i>Program Plan-Special Care Services</i>		None	July 17, 2000
	10 NCAC 42E .1507 <i>Staff Orientation and Training</i>		None	July 17, 2000
	10 NCAC 42E .1508 <i>Requirements for Special Care Services Unit</i>		None	July 17, 2000
	10 NCAC 42V .0108 <i>Definitions</i>		None	July 17, 2000
	10 NCAC 42Z .1001 <i>Disclosure</i>	Special care	None	July 17, 2000
	10 NCAC 42Z .1002 <i>The Facility-Special Care Services</i>	Special care services	None	July 17, 2000
	10 NCAC 42Z .1003 <i>Enrollment-Special Care Services</i>		None	July 17, 2000
	10 NCAC 42Z .1004 <i>Individual Service Plans-Special Care Services</i>		None	July 17, 2000
	10 NCAC 42Z .1005 <i>Program Plan-Special Care Services</i>		None	July 17, 2000
	10 NCAC 42Z .1006 <i>Staff Orientation and Training</i>		None	July 17, 2000
	10 NCAC 42Z .1007 <i>Requirements for Special Care Services Unit</i>		None	July 17, 2000
SOCIAL SERVICES COMMISSION	10 NCAC 43L .0401 <i>Fiscal Management</i>	Fiscal requirements	None	July 17, 2000
COMMISSION FOR MH/DD/SAS	10 NCAC 45H .0205 <i>Schedule IV</i>	Drugs	None	August 1, 2000
SOCIAL SERVICES COMMISSION	10 NCAC 47B .0103 <i>Eligibility Determination Process</i>	Eligibility determination	None	July 17, 2000
	10 NCAC 47B .0204 <i>Re-evaluation</i>	Adult care homes	None	July 17, 2000

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SOCIAL SERVICES COMMISSION DIVISION OF MEDICAL ASSISTANCE	10 NCAC 47B .0407 <i>Evaluation</i>	Special assistance for adults	None	July 17, 2000
	10 NCAC 50B .0102 <i>Optional</i>	Medicaid	State, local	August 1, 2000
	10 NCAC 50B .0302 <i>United States Citizen</i>	Medicaid covered services	None	August 1, 2000
	10 NCAC 50B .0313 <i>Income</i>	Financial eligibility	State, local	August 1, 2000
	10 NCAC 50B .0313 <i>Income</i>	Family and children's cases	None	August 1, 2000
DEPARTMENT OF INSURANCE				
	11 NCAC 6B .0201 <i>Contents of Full Application</i>	Applications	None	July 1, 2000
	11 NCAC 6B .0202 <i>Modification of Application</i>		None	July 1, 2000
	11 NCAC 6B .0203 <i>Duration of Initial Certificate</i>		None	July 1, 2000
	11 NCAC 6B .0204 <i>Application for Renewal of Certificate</i>		None	July 1, 2000
	11 NCAC 6B .0205 <i>Renewal Certificate of Registration</i>		None	July 1, 2000
	11 NCAC 6B .0301 <i>Financial Statements</i>	Financial	None	July 1, 2000
	11 NCAC 6B .0302 <i>Determination of Financial Responsibility</i>		None	July 1, 2000
	11 NCAC 6B .0303 <i>Financial Information Public Records</i>		None	July 1, 2000
	11 NCAC 6B .0304 <i>Surety Bond Issued by Licensed Company</i>		None	July 1, 2000
	11 NCAC 6B .0401 <i>Service Contracts with Insurance Companies</i>	Contracts	None	July 1, 2000
	11 NCAC 6B .0402 <i>Adjusting Claims by Administrators</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
HOME INSPECTOR LICENSURE BOARD	11 NCAC 6B .0403 <i>Violations: Penalties</i>		None	July 1, 2000
	11 NCAC 6B .0404 <i>Definitions</i>		None	July 1, 2000
	11 NCAC 6B .0405 <i>Payment of Claims</i>		None	July 1, 2000
	11 NCAC 8 .1103 <i>Purpose and Scope</i>	Inspections	None	July 1, 2000
	11 NCAC 8 .1106 <i>Structural Components</i>		None	July 1, 2000
	11 NCAC 8 .1107 <i>Exterior</i>		None	July 1, 2000
	11 NCAC 8 .1116 <i>Code of Ethics</i>		None	July 1, 2000
	11 NCAC 10 .0105 <i>Manuscript or Individual Risk Filings</i>	Filings	None	July 1, 2000
	11 NCAC 10 .1110 <i>Workers' Compensation Loss Costs Questionnaire</i>		None	July 1, 2000
	11 NCAC 11F .0401 <i>Applicability</i>	General	None	July 1, 2000
	11 NCAC 11F .0402 <i>Definitions</i>		None	July 1, 2000
	11 NCAC 11F .0403 <i>Basic and Premium Deficiency Reserves</i>		None	July 1, 2000
	11 NCAC 11F .0404 <i>Calculation of .0401(b)</i>		None	July 1, 2000
	11 NCAC 11F .0405 <i>Calculation of .0401(c)</i>		None	July 1, 2000
	11 NCAC 11F .0501 <i>Definitions</i>	Actuaries	None	July 1, 2000
	11 NCAC 11F .0502 <i>Individual Annuity or Pure Endowment Contracts</i>		None	July 1, 2000
	11 NCAC 11F .0503 <i>Group Annuity or Pure Endowment Contracts</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	11 NCAC 11F .0504 <i>Application of the 1994 GAR Table</i>		None	July 1, 2000
	11 NCAC 12 .0327 <i>Y2K Interim Claim Payments</i>	Claims	None	July 1, 2000
	11 NCAC 12 .1701 <i>Definitions</i>	General	None	July 1, 2000
	11 NCAC 12 .1702 <i>Viatical Settlement Providers</i>		None	July 1, 2000
	11 NCAC 12 .1702 <i>Viatical Settlement Providers</i>	Providers	None	July 1, 2000
	11 NCAC 12 .1703 <i>Viatical Settlement Brokers and Representatives</i>		None	July 1, 2000
	11 NCAC 12 .1707 <i>Solicitation</i>		None	July 1, 2000
	11 NCAC 12 .1709 <i>Disclosure</i>		None	July 1, 2000
	11 NCAC 13 .0317 <i>Ten-Day Notice</i>	Finance company	None	July 1, 2000
	11 NCAC 13 .0318 <i>Notice of Cancellation</i>		None	July 1, 2000
	11 NCAC 13 .0324 <i>Dishonored Checks</i>		None	July 1, 2000
	11 NCAC 13 .0326 <i>Premium Finance Agreement Type Standard</i>		None	July 1, 2000
	11 NCAC 13 .0514 <i>Collateral Security Returned</i>	Liability	None	July 1, 2000
	11 NCAC 13 .0518 <i>Continuing Education</i>		None	July 1, 1999
JUSTICE				
N C PRIVATE PROTECTIVE SERVICES BOARD	12 NCAC 7D .0807 <i>Training Requirements for Armed Security Guards</i>	Firearm registration	None	August 1, 2000
CRIMINAL JUSTICE EDUCATION & TRAINING STANDARDS	12 NCAC 9A .0103 <i>Definitions</i>		None	August 1, 2000

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CRIMINAL JUSTICE EDUCATION & TRAINING STANDARDS	12 NCAC 9B .0106 <i>Documentation of Educational Requirements</i>	General	None	August 1, 2000
	12 NCAC 9B .0107 <i>Minimum Standards for Correctional Officers</i>	Requirements	None	August 1, 2000
	12 NCAC 9B .0109 <i>Minimum Standards for Probation/Parole Officers</i>		None	August 1, 1999
	12 NCAC 9B .0110 <i>Minimum Standards for Probation/Parole Intake Off</i>		None	August 1, 1999
	12 NCAC 9B .0112 <i>Minimum Standards for Parole Case Analysis</i>		None	August 1, 1999
	12 NCAC 9B .0113 <i>Minimum Standards Probation/Parole Officers</i>		None	August 1, 1999
	12 NCAC 9B .0115 <i>Minimum Standards Probation/parole Intensive Off</i>		None	July 1, 1999
	12 NCAC 9B .0201 <i>Administration of Criminal Justice Schools</i>		Administrative	August 1, 1999
	12 NCAC 9B .0202 <i>Responsibilities of the School Director</i>		None	August 1, 1999
	12 NCAC 9B .0203 <i>Admission of Trainees</i>		None	August 1, 1999
	12 NCAC 9B .0204 <i>Training Course Enrollment</i>		None	August 1, 1999
	12 NCAC 9B .0205 <i>Basic Training-Law Enforcement Officers</i>		State, local	August 1, 1999
	12 NCAC 9B .0206 <i>Basic Training-Correctional Officers</i>		None	August 1, 1999
	12 NCAC 9B .0207 <i>Basic Training-State Youth Services Officers</i>		None	August 1, 1999
	12 NCAC 9B .0208 <i>Basic Training-Probation/Parole Officers</i>		None	August 1, 1999
	12 NCAC 9B .0226 <i>Specialized Instructor Training-Firearms</i>		None	August 1, 1999
	12 NCAC 9B .0227 <i>Specialized Instructor Training-Driving</i>		None	August 1, 1999

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date	
CRIMINAL JUSTICE EDUCATION & TRAINING STANDARDS	12 NCAC 9B .0228		State	August 1, 1999	
	<i>Basic Training-Wildlife Enforcement Officers</i>				
	12 NCAC 9B .0232				
	<i>Specialized Instructor Training</i>				
	12 NCAC 9B .0233				
	<i>Specialized Instructor Training</i>				
	12 NCAC 9B .0302		Certification	None	August 1, 1999
	<i>General Instructor Certification</i>				
	12 NCAC 9B .0303			None	August 1, 1999
	<i>Terms and Conditions</i>				
	12 NCAC 9B .0304			None	August 1, 1999
	<i>Specific Instructor Certification</i>				
	12 NCAC 9B .0305			None	August 1, 1999
	<i>Terms and Conditions</i>				
	12 NCAC 9B .0312			None	August 1, 1999
	<i>Instructor Certification Renewal</i>				
	12 NCAC 9B .0403		Training and experience	None	August 1, 1999
	<i>Evaluation of Training Waiver</i>				
12 NCAC 9B .0404			"	August 1, 1999	
<i>Trainee Attendance</i>					
12 NCAC 9B .0405			None	August 1, 1999	
<i>Completion of Basic Training</i>					
12 NCAC 9B .0406			State	August 1, 1999	
<i>Comprehensive Written Examination</i>					
12 NCAC 9B .0407			None	August 1, 1999	
<i>Satisfaction of Minimum Training Requirements</i>					
12 NCAC 9B .0414			None	August 1, 1999	
<i>Comprehensive Written Exam</i>					
12 NCAC 9B .0415			None	August 1, 1999	
<i>Satisfaction of Minimum Training</i>					
12 NCAC 9C .0211		Training	None	August 1, 1999	
<i>Pre-Delivery Training Course Report</i>					
12 NCAC 9C .0212			None	August 1, 1999	
<i>Post-Delivery Training Course Report</i>					

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
CRIMINAL JUSTICE EDUCATION & TRAINING STANDARDS	12 NCAC 9C .0213 <i>Report of Training Course Completion</i>		None	August 1, 1999
	12 NCAC 9C .0403 <i>Reports of Training Course Presentation</i>	Training courses	None	August 1, 1999
	12 NCAC 9E .0107 <i>Failure to Qualify</i>	Firearms training	None	August 1, 1999
N C SHERIFFS' EDUCATION AND TRAINING STANDARDS	12 NCAC 10B .0103 <i>Definitions</i>	Administrative	State	August 1, 1999
	12 NCAC 10B .0302 <i>Documentation of Educational Requirement</i>	Educational requirements	None	August 1, 2000
	12 NCAC 10B .0303 <i>Fingerprint Records Check</i>		None	August 1, 2000
	12 NCAC 10B .0502 <i>Basic Law Enforcement Training Course for Deputy</i>	Training	State	August 1, 1999
	12 NCAC 10B .0505 <i>Evaluation for Training Waiver</i>		None	August 1, 1999
	12 NCAC 10B .0506 <i>Trainee Attendance</i>		None	August 1, 1999
	12 NCAC 10B .0507 <i>Completion of Basic Law Enforcement Course</i>		None	August 1, 1999
	12 NCAC 10B .0508 <i>Written Exam</i>		None	August 1, 1999
	12 NCAC 10B .0509 <i>Satisfaction of Minimum Training Requirements</i>		None	August 1, 1999
	12 NCAC 10B .0601 <i>Detention Officer Certification Course</i>	Standards	State, local	August 1, 1999
	12 NCAC 10B .0703 <i>Administration of Detention Officer Cert. Course</i>	Administrative	State, local	August 1, 1999
	12 NCAC 10B .0908 <i>Limited Lecturer Certification</i>	Certification	State, local	August 1, 1999
	12 NCAC 10B .0909 <i>Terms and Conditions of a Limited Lecturer Cert</i>	Certification	None	August 1, 2000
	12 NCAC 10B .1002 <i>General Provisions</i>	General	None	August 1, 1999

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N C SHERIFFS' EDUCATION AND TRAINING STANDARDS	12 NCAC 10B .1401 <i>Purpose</i>	Professional certification program	State	August 1, 1999
	12 NCAC 10B .1402 <i>General Provisions</i>		State	August 1, 1999
	12 NCAC 10B .1403 <i>Basic Reserve Deputy Sheriff Professional Cert</i>		State	August 1, 1999
	12 NCAC 10B .1404 <i>Intermediate Reserve Deputy Sheriff Cert</i>		State	August 1, 1999
	12 NCAC 10B .1405 <i>Advanced Reserve Deputy Sheriff Cert</i>		State	August 1, 1999
	12 NCAC 10B .1406 <i>How to Apply</i>		State	August 1, 1999
	DEPARTMENT OF LABOR			
	13 NCAC 7F .0201 <i>Construction</i>	Construction	None	September 1, 2000
DENR				
	15A NCAC 1J .0101 <i>Purpose</i>	Wastewater treatment centers	None	August 1, 2000
	15A NCAC 1J .0102 <i>Definitions</i>		None	August 1, 2000
	15A NCAC 1J .0202 <i>Grants from the High-Unit Cost Accounts</i>	Grants	State, local	August 1, 2000
	15A NCAC 1J .0303 <i>Filing of Required Supplemental Information</i>	Environmental assessment	State, local	August 1, 2000
	15A NCAC 1J .0402 <i>Criteria for Planning and Water Conservation</i>	Water conservation	State, local	August 1, 2000
	15A NCAC 1J .0502 <i>Applicable Conditions</i>	Projects	State, local	August 1, 2000
	15A NCAC 1J .0504 <i>Fiscal Responsibility of the Applicant</i>		None	August 1, 2000
	15A NCAC 1J .0601 <i>Public Need</i>	Public need	None	August 1, 2000
	15A NCAC 1J .0604 <i>Fiscal Responsibility of the Applicant</i>		None	August 1, 2000

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	15A NCAC 1J .0701 <i>Public Necessity: Health: Safety</i>	Service area needs	State, local	August 1, 2000
	15A NCAC 1J .0703 <i>Financial Considerations</i>		State, local	August 1, 2000
	15A NCAC 1J .0803 <i>Assignment of Category to Wastewater Applications</i>	Applications	State, local	August 1, 2000
	15A NCAC 1J .0903 <i>Criteria for Loan Adjustments</i>	Loan commitment	State, local	August 1, 2000
	15A NCAC 1J .0904 <i>Disbursement of Loans and Grants</i>		None	August 1, 2000
	15A NCAC 1L .0101 <i>Purpose</i>	Loans	None	August 1, 2000
	15A NCAC 1L .0102 <i>Definitions</i>		State, local	August 1, 2000
	15A NCAC 1L .0203 <i>Limitation of Loans</i>	Loans	State, local	August 1, 2000
	15A NCAC 1L .0303 <i>Filing of Required Supplemental Information</i>	Environmental assessment	State, local	August 1, 2000
	15A NCAC 1L .0501 <i>Applicable Conditions</i>	Proposed projects	State, local	August 1, 2000
	15A NCAC 1L .0503 <i>Fiscal Responsibility of the Applicant</i>		None	August 1, 2000
	15A NCAC 1L .0601 <i>Public Need</i>	Projects	None	August 1, 2000
	15A NCAC 1L .0604 <i>Fiscal Responsibility of the Applicant</i>		None	August 1, 2000
	15A NCAC 1L .0701 <i>Public Necessity</i>	Water source	State, local	August 1, 2000
	15A NCAC 1L .0801 <i>Planning and Water Conservation</i>	Water conservation	State, local	August 1, 2000
	15A NCAC 1L .0902 <i>Assignment of Category to Wastewater Applications</i>	Wastewater projects	State, local	August 1, 2000
	15A NCAC 1L .1003 <i>Criteria for Loan Adjustments</i>	Water supply projects	State, local	August 1, 2000

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ENVIRONMENTAL MANAGEMENT COMMISSION	15A NCAC 1L .1004 Disbursement of Loans		None	August 1, 2000
	15A NCAC 2B .0110 Consideration for Federally-Listed Threatened Spec	Aquatic species	None	August 1, 2000
	15A NCAC 2B .0211 Fresh Water Quality Standards		None	August 1, 2000
	15A NCAC 2B .0220 Tidal Salt Water Quality Standards		None	August 1, 2000
	15A NCAC 2B .0223 Nutrient Sensitive Waters		None	August 1, 2000
	15A NCAC 2B .0225 Outstanding Resource Waters		None	August 1, 2000
	15A NCAC 2B .0233 Neuse River Basin		Local, substantial	August 1, 2000
	15A NCAC 2B .0241 Neuse River Basin		None	August 1, 2000
	15A NCAC 2B .0242 Neuse River Basin		None	August 1, 2000
	15A NCAC 2B .0259 Tar-Pamlico River Basin		Local, substantial	August 1, 2000
	15A NCAC 2B .0260 Tar-Pamlico River Basin		Local, substantial	August 1, 2000
	15A NCAC 2B .0261 Tar-Pamlico River Basin		Local, substantial	August 1, 2000
	15A NCAC 2B .0303 Little Tennessee River Basin	Schedules	None	August 1, 2000
	15A NCAC 2B .0304 French Broad River Basin		None	August 1, 2000
	15A NCAC 2B .0306 Broad River Basin		None	August 1, 2000
	15A NCAC 2B .0306 Broad River Basin	Schedules	None	August 1, 2000
	15A NCAC 2B .0308 Catawba River Basin		None	August 1, 2000

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ENVIRONMENTAL MANAGEMENT COMMISSION	15A NCAC 2B .0310 <i>Lumber River Basin</i>		None	August 1, 2000
	15A NCAC 2B .0317 <i>Pasquotank River Basin</i>		None	August 1, 2000
	15A NCAC 2D .0518 <i>Miscellaneous Volatile Organic Compound Emissions</i>	Emissions	None	July 1, 2000
	15A NCAC 2D .0523 <i>Control of Conical Incinerators</i>	Incinerators	None	July 1, 2000
	15A NCAC 2D .0524 <i>New Source Performance Standards</i>	Standards	None	July 1, 1999
	15A NCAC 2D .0541 <i>Control of Emissions from Abrasive Blasting</i>		None	July 1, 1999
	15A NCAC 2D .0902 <i>Applicability</i>	General	None	July 1, 2000
	15A NCAC 2D .0909 <i>Compliance Schedules for Sources</i>		None	July 1, 2000
	15A NCAC 2D .0948 <i>VOC Emissions from Transfer Operations</i>		None	July 1, 2000
	15A NCAC 2D .0949 <i>Storage of Miscellaneous Volatile Organic Compoun</i>		None	July 1, 2000
	15A NCAC 2D .0950 <i>Interim Standards</i>		None	July 1, 2000
	15A NCAC 2D .0951 <i>Miscellaneous Volatile Organic Compound</i>		None	July 1, 2000
	15A NCAC 2D .0958 <i>Work Practices for Sources</i>		None	July 1, 2000
	15A NCAC 2D .1201 <i>Purpose and Scope</i>	General	None	July 1, 2000
	15A NCAC 2D .1202 <i>Definitions</i>	Definitions	None	July 1, 2000
	15A NCAC 2D .1203 <i>Hazardous Waste Incinerators</i>		None	July 1, 2000
	15A NCAC 2D .1204 <i>Sewage Sludge and Sludge Incinerators</i>		None	July 1, 2000

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ENVIRONMENTAL MANAGEMENT COMMISSION	15A NCAC 2D .1205		None	July 1, 2000	
	<i>Municipal Waste Combustors</i>		None	July 1, 2000	
	15A NCAC 2D .1206		None	July 1, 2000	
	<i>Hospital, Medical, & Infectious Waste Incinerators</i>		None	July 1, 2000	
	15A NCAC 2D .1207		None	July 1, 2000	
	<i>Conical Incinerators</i>		None	July 1, 2000	
	15A NCAC 2D .1208		None	July 1, 2000	
	<i>Other Incinerators</i>		None	July 1, 2000	
	15A NCAC 2D .1209		None	July 1, 2000	
	<i>Compliance Schedules</i>		None	July 1, 2000	
	15A NCAC 2D .1703		Landfills	State	July 1, 2000
	<i>Emission Standards</i>			State	July 1, 2000
	15A NCAC 2D .1708			State	July 1, 2000
	<i>Reporting Requirements</i>			State	July 1, 2000
	15A NCAC 2D .1709			State	July 1, 2000
	<i>Recordkeeping Requirements</i>			None	July 1, 1999
	15A NCAC 2D .1801		Control of Odors	None	July 1, 1999
	<i>Definitions</i>			Substantial	July 1, 1999
	15A NCAC 2D .1802			None	July 1, 1999
	<i>Control of Odors from Animal Operations</i>			None	July 1, 1999
15A NCAC 2D .1803			None	July 1, 1999	
<i>Best Management Plans for Animal Operations</i>			None	July 1, 1999	
15A NCAC 2D .1804			None	July 1, 1999	
<i>Reporting Requirements for Animal Operations</i>			None	July 1, 1999	
15A NCAC 2D .2101		Regulated substances	State, local, substantial	July 1, 2000	
<i>Applicability</i>			State, local, substantial	July 1, 2000	
15A NCAC 2D .2102			State, local, substantial	July 1, 2000	
<i>Definitions</i>			State, local, substantial	July 1, 2000	
15A NCAC 2D .2103			State, local, substantial	July 1, 2000	
<i>Requirements</i>			State, local, substantial	July 1, 2000	
15A NCAC 2D .2104			State, local, substantial	July 1, 2000	
<i>Implementation</i>			State, local	August 1, 2000	
15A NCAC 2P .0402			State, local	August 1, 2000	
<i>Cleanup Costs</i>			State, local	August 1, 2000	

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ENVIRONMENTAL MANAGEMENT COMMISSION	15A NCAC 2Q .0102 <i>Activities Exempted from Permit Requirements</i>	Permit requirements	None	July 1, 1999	
	15A NCAC 2Q .0102 <i>Activities Exempted from Permit Requirements</i>		None	July 1, 2000	
	15A NCAC 2Q .0103 <i>Definitions</i>		None	July 1, 2000	
	15A NCAC 2Q .0202 <i>Definitions</i>	Definitions	None	July 1, 2000	
	15A NCAC 2Q .0306 <i>Permits Requiring Public Participation</i>	Public notice	None	July 1, 2000	
	15A NCAC 2Q .0502 <i>Applicability</i>	Permits	None	July 1, 2000	
	15A NCAC 2Q .0503 <i>Definitions</i>		None	July 1, 2000	
	15A NCAC 2Q .0507 <i>Application</i>		None	July 1, 2000	
	15A NCAC 2Q .0508 <i>Permit Content</i>		None	July 1, 2000	
	15A NCAC 2Q .0702 <i>Exemptions</i>	Toxic air pollutants	None	July 1, 2000	
	15A NCAC 2Q .0702 <i>Exemptions</i>	Exemptions	None	July 1, 2000	
	15A NCAC 2S .0101 <i>General</i>	Rules and criteria	None	August 1, 2000	
	15A NCAC 2S .0102 <i>Definitions</i>		None	August 1, 2000	
	15A NCAC 2S .0201 <i>Applicability</i>	Minimum management practices	None	August 1, 2000	
	15A NCAC 2S .0202 <i>Required Minimum Management Practices</i>		None	August 1, 2000	
	MARINE FISHERIES COMMISSION	15A NCAC 3H .0101 <i>Identification Information</i>	General	None	August 1, 2000
		15A NCAC 3H .0103 <i>Proclamation Authority</i>		None	August 1, 2000

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MARINE FISHERIES COMMISSION	15A NCAC 3I .0101 <i>Definitions</i>	General	None	August 1, 2000
	15A NCAC 3I .0105 <i>Leaving Devices Unattended</i>		None	August 1, 2000
	15A NCAC 3I .0106 <i>Scientific, Educational, or Official Collecting</i>		None	August 1, 2000
	15A NCAC 3I .0114 <i>Recordkeeping Requirements</i>		None	August 1, 2000
	15A NCAC 3I .0117 <i>Fishery Resource Grant Program</i>	General rules	None	August 1, 2000
	15A NCAC 3I .0120 <i>Possession or Transportation</i>		None	August 1, 2000
	15A NCAC 3J .0104 <i>Trawl Nets</i>	Finfish	None	August 1, 2000
	15A NCAC 3J .0110 <i>Seines</i>		None	August 1, 2000
	15A NCAC 3J .0301 <i>Pots</i>	Pots	None	August 1, 2000
	15A NCAC 3J .0302 <i>Recreational Use of Pots</i>		None	August 1, 2000
	15A NCAC 3J .0305 <i>Trotlines (Multiple Hook or Multiple Bait)</i>		None	August 1, 2000
	15A NCAC 3K .0101 <i>Prohibited Shellfish</i>	Shellfish	None	August 1, 2000
	15A NCAC 3K .0105 <i>Harvest of Crabs and Shellfish</i>		None	August 1, 2000
	15A NCAC 3K .0106 <i>Taking or Unloading Oysters</i>		None	August 1, 2000
	15A NCAC 3K .0202 <i>Size Limit and Culling Tolerance</i>	Size	None	August 1, 2000
	15A NCAC 3K .0502 <i>Taking Bay Scallops at Night</i>	Scallops	None	August 1, 2000
	15A NCAC 3L .0201 <i>Size Limit and Culling Tolerance</i>	Size	None	August 1, 2000

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MARINE FISHERIES COMMISSION	15A NCAC 3L .0206 <i>Peeler Crabs</i>		None	August 1, 2000
	15A NCAC 3M .0202 <i>Season, Size and Harvest Limit</i>	Internal coastal waters	None	August 1, 2000
	15A NCAC 3M .0503 <i>Flounder</i>	Fish	None	August 1, 2000
	15A NCAC 3M .0504 <i>Trout</i>		None	August 1, 2000
	15A NCAC 3M .0507 <i>Billfish</i>		None	August 1, 2000
	15A NCAC 3M .0511 <i>Bluefish</i>		None	August 1, 2000
	15A NCAC 3M .0516 <i>Cobia</i>		None	August 1, 2000
	15A NCAC 3O .0101 <i>Procedure and Requirements</i>	Procedures	None	August 1, 2000
	15A NCAC 3O .0102 <i>Recreational Fishing Tournament License</i>		None	August 1, 2000
	15A NCAC 3O .0103 <i>Auxiliary Vessels</i>		None	August 1, 2000
	15A NCAC 3O .0104 <i>Commercial Unloading of Fish</i>		None	August 1, 2000
	15A NCAC 3O .0105 <i>Bait Dealers</i>		None	August 1, 2000
	15A NCAC 3O .0106 <i>Display of Licenses and Registrations</i>		None	August 1, 2000
	15A NCAC 3O .0107 <i>Lost License Replacement</i>		None	August 1, 2000
	15A NCAC 3O .0108 <i>License Transfers</i>		None	August 1, 2000
	15A NCAC 3O .0109 <i>Assignment of SCFL</i>		None	August 1, 2000
	15A NCAC 3O .0110 <i>License Refunds</i>		None	August 1, 2000

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MARINE FISHERIES COMMISSION	15A NCAC 3O .0406 <i>Standard Commercial Fishing License</i>		None	August 1, 2000
	15A NCAC 3Q .0107 <i>Special Rules, Joint Waters</i>	Joint waters	None	August 1, 2000
SEDIMENTATION CONTROL COMMISSION	15A NCAC 4B .0106 <i>Basic Control Objectives</i>	Erosion	None	July 1, 2000
	15A NCAC 4B .0107 <i>Mandatory Standards</i>		None	July 1, 2000
	15A NCAC 4B .0126 <i>Plan Approval Fees</i>	Fees	State, local	July 1, 2000
	15A NCAC 4B .0127 <i>Plan Approval Certificate</i>		None	July 1, 2000
COASTAL RESOURCES COMMISSION	15A NCAC 4C .0107 <i>Procedures: Notices</i>	Notices	None	August 1, 2000
	15A NCAC 7H .0201 <i>AECs</i>	General	State, local	August 1, 2000
	15A NCAC 7H .0203 <i>Management Objective</i>		State, local	August 1, 2000
	15A NCAC 7H .0209 <i>Coastal Shorelines</i>		State, local	August 1, 2000
	15A NCAC 7H .0309 <i>Use Standards</i>	Hazard areas	State	August 1, 2000
	15A NCAC 7H .1103 <i>Permit Fee</i>	Permit fees	State, local	August 1, 2000
	15A NCAC 7H .1203 <i>Permit Fee</i>	Permit fees	State, local	August 1, 2000
	15A NCAC 7H .1301 <i>Purpose</i>	Permits	State, local	August 1, 2000
	15A NCAC 7H .1303 <i>Permit Fee</i>	Permit fees	State, local	August 1, 2000
	15A NCAC 7H .1403 <i>Permit Fee</i>	Permit fees	State, local	August 1, 2000
15A NCAC 7H .1503 <i>Application Fee</i>	Fees	State, local	August 1, 2000	

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COASTAL RESOURCES COMMISSION	15A NCAC 7H .1601	Permits	State, local	August 1, 2000
	<i>Purpose</i>			
	15A NCAC 7H .1603	Fees	State, local	August 1, 2000
	<i>Permit Fee</i>			
	15A NCAC 7H .1803	Fees	State, local	August 1, 2000
	<i>Permit Fee</i>			
	15A NCAC 7H .1805	Activities	None	August 1, 2000
	<i>Specific Conditions</i>			
	15A NCAC 7H .1901		State, local	August 1, 2000
	<i>Purpose</i>			
	15A NCAC 7H .1903	Fees	State, local	August 1, 2000
	<i>Permit Fee</i>			
	15A NCAC 7H .2003	Fees	State, local	August 1, 2000
	<i>Permit Fee</i>			
	15A NCAC 7H .2101	General	State	August 1, 2000
<i>Purpose</i>				
15A NCAC 7H .2102		State	August 1, 2000	
<i>Approval Procedures</i>				
15A NCAC 7H .2103	Fees	State, local	August 1, 2000	
<i>Permit Fee</i>				
15A NCAC 7H .2105		State	August 1, 2000	
<i>Specific Conditions</i>				
15A NCAC 7H .2203	Fees	State, local	August 1, 2000	
<i>Permit Fee</i>				
15A NCAC 7H .2301	Permits	State, local	August 1, 2000	
<i>Purpose</i>				
15A NCAC 7H .2303	Fees	State, local	August 1, 2000	
<i>Permit Fee</i>				
15A NCAC 7H .2401	General permit	State	August 1, 2000	
<i>Purpose</i>				
15A NCAC 7H .2402		State	August 1, 2000	
<i>Approval Procedures</i>				
15A NCAC 7H .2403		State	August 1, 2000	
<i>Permit Fee</i>				

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COASTAL RESOURCES COMMISSION	15A NCAC 7H .2404 General Conditions		State	August 1, 2000	
	15A NCAC 7H .2405 Specific Conditions		State	August 1, 2000	
	15A NCAC 7J .0204 Processing the Application	Applications	State, local	August 1, 2000	
	15A NCAC 7J .0404 Development Period Extension	Development periods	State, local	August 1, 2000	
	15A NCAC 7J .0405 Permit Modification		State, local	August 1, 2000	
	15A NCAC 7J .0406 Permit Issuance and Transfer		State, local	August 1, 2000	
	15A NCAC 7K .0203 Private Bulkheads	Exemptions	State, local	August 1, 2000	
	15A NCAC 7K .0209 Exemption		State, local	August 1, 2000	
	15A NCAC 7M .0307 Eligible Applicants/Grant Selection criteria	Access funds	State, local	August 1, 2000	
	15A NCAC 7M .0401 Declaration of General Policy	General	State, local	August 1, 2000	
	15A NCAC 7M .0402 Definitions		State, local	August 1, 2000	
	15A NCAC 7M .0403 Policy Statements		State, local	August 1, 2000	
	WILDLIFE RESOURCES COMMISSION	15A NCAC 10B .0105 Migratory Game Birds	State rules	None	July 1, 2000
		15A NCAC 10B .0113 Big Game Kill Reports		None	July 1, 2000
15A NCAC 10B .0116 Permitted Archery Equipment		Equipment	None	July 1, 2000	
15A NCAC 10B .0202 Bear		Open Seasons	None	July 1, 2000	
15A NCAC 10B .0203 Deer (White Tailed)		Closed season	None	July 1, 2000	

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WILDLIFE RESOURCES COMMISSION	15A NCAC 10B .0203 <i>Deer (White-Tailed)</i>		None	July 1, 2000
	15A NCAC 10B .0205 <i>Raccoon and Opossum</i>		None	July 1, 2000
	15A NCAC 10B .0209 <i>Wild Turkey (Bearded Turkeys Only)</i>		None	July 1, 2000
	15A NCAC 10B .0209 <i>Wild Turkey (Bearded Turkeys Only)</i>		None	July 1, 2000
	15A NCAC 10B .0212 <i>Foxes (Gray and Red)</i>		None	July 1, 2000
	15A NCAC 10B .0302 <i>Open Seasons</i>	General	None	July 1, 2000
	15A NCAC 10C .0107 <i>Special Regulations Joint Waters</i>	Joint waters	None	July 1, 2000
	15A NCAC 10C .0205 <i>Public Mountain Trout Waters</i>	Trout waters	None	July 1, 2000
	15A NCAC 10C .0205 <i>Public Mountain Trout Waters</i>	Designations	None	July 1, 2000
	15A NCAC 10C .0305 <i>Open Seasons: Creel and Size Limits</i>	Open seasons	None	July 1, 2000
	15A NCAC 10C .0305 <i>Open Seasons: Creel and Size Limits</i>	General	None	July 1, 2000
	15A NCAC 10C .0401 <i>Manner of Taking Nongame Fishes</i>	Nongame fish	None	July 1, 2000
	15A NCAC 10C .0401 <i>Manner of Taking Nongame Fishes: Purchase & Sale</i>	Nongame fishes	None	July 1, 2000
	15A NCAC 10C .0402 <i>Taking Nongame Fishes for Bait</i>		None	July 1, 2000
	15A NCAC 10C .0407 <i>Permitted Special Devices and Open Seasons</i>		None	July 1, 2000
	15A NCAC 10C .0501 <i>Scope and Purpose</i>	Inland waters	None	July 1, 2000
	15A NCAC 10C .0502 <i>Primary Nursery Areas Defined</i>		None	July 1, 2000

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WILDLIFE RESOURCES COMMISSION	15A NCAC 10C .0503 <i>Descriptive Boundaries</i>		None	July 1, 2000
	15A NCAC 10C .0503 <i>Descriptive Boundaries</i>	Boundaries	None	July 1, 2000
	15A NCAC 10D .0102 <i>General Regulations Regarding Use</i>	Usage	None	July 1, 2000
	15A NCAC 10D .0102 <i>General Regulations Regarding Use</i>	Game lands	None	July 1, 2000
	15A NCAC 10D .0103 <i>Hunting on Game Lands</i>		None	July 1, 2000
	15A NCAC 10D .0103 <i>Hunting on Game Lands</i>		None	July 1, 2000
	15A NCAC 10D .0104 <i>Fishing on Game Lands</i>		None	July 1, 2000
	15A NCAC 10F .0202 <i>Accident Reports</i>	Reports	None	November 1, 1999
	15A NCAC 10F .0310 <i>Dare County</i>	Regulated areas	Local	July 1, 2000
	15A NCAC 10F .0317 <i>Stanly County</i>	Regulated areas	None	July 1, 2000
	15A NCAC 10F .0321 <i>Pender County</i>	Regulated Areas	Local	July 1, 2000
	15A NCAC 10F .0323 <i>Burke County</i>		Local	July 1, 2000
	15A NCAC 10F .0330 <i>Carteret County</i>		State, local	July 1, 2000
	15A NCAC 10F .0332 <i>Alexander County</i>	Regulated areas	Local	July 1, 2000
	15A NCAC 10F .0333 <i>Mecklenburg and Gaston Counties</i>	Regulated areas	Local	July 1, 2000
	15A NCAC 10F .0339 <i>McDowell County</i>		Local	July 1, 2000
	15A NCAC 10F .0339 <i>McDowell County</i>		Local	July 1, 2000

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WILDLIFE RESOURCES COMMISSION	15A NCAC 10F .0342 <i>Catawba County</i>		Local	July 1, 2000
	15A NCAC 10F .0353 <i>Mountain Island Lake</i>		Local	July 1, 2000
	15A NCAC 10F .0355 <i>Perquimans County</i>		Local	July 1, 2000
	15A NCAC 10F .0367 <i>Hoke County</i>		Local	July 1, 2000
COMMISSION FOR HEALTH SERVICES	15A NCAC 13A .0101 <i>General</i>	General	State	August 1, 2000
	15A NCAC 13A .0102 <i>Definitions</i>		None	August 1, 2000
	15A NCAC 13A .0103 <i>Petitions-Part 260</i>		None	August 1, 2000
	15A NCAC 13A .0104 <i>Public Information - Part 2</i>		None	August 1, 2000
	15A NCAC 13A .0106 <i>Identification and Listing of Hazardous Wastes</i>		None	August 1, 2000
	15A NCAC 13A .0108 <i>Stds Applicable to Transporters of Hazardous Waste</i>		None	August 1, 2000
	15A NCAC 13A .0110 <i>Interim Status Stds for Owners</i>		None	August 1, 2000
	15A NCAC 13A .0112 <i>Land Disposal Restrictions - Part 268</i>		None	August 1, 2000
	15A NCAC 13A .0113 <i>The Hazardous Waste Permit Program</i>		None	August 1, 2000
	15A NCAC 13A .0118 <i>Standards for the Management of Used Oil</i>		None	August 1, 2000
	15A NCAC 16A .1104 <i>Covered Services</i>	Services	None	August 1, 2000
	15A NCAC 16A .1106 <i>Medical Eligibility</i>		None	August 1, 2000
	15A NCAC 18A .0134 <i>Definitions</i>	General	None	August 1, 2000

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	15A NCAC 18A .0188 Hazard Analysis		None	August 1, 2000
	15A NCAC 18A .0189 HACCP Plan		None	August 1, 2000
	15A NCAC 18A .0190 Sanitation Monitoring Requirements		None	August 1, 2000
	15A NCAC 18A .0191 Monitoring Records		None	August 1, 2000
	15A NCAC 18A .0301 Definitions	Definitions	None	August 1, 2000
	15A NCAC 18A .0433 Hazard Analysis	Hazards	None	August 1, 2000
	15A NCAC 18A .0434 HACCP Plan		None	August 1, 2000
	15A NCAC 18A .0435 Sanitation Monitoring Requirements		None	August 1, 2000
	15A NCAC 18A .1611 Water Supply	Supplies	None	August 1, 2000
	15A NCAC 18A .1808 Lobby: Halls: Stairs: and Vending Areas	Regulations	None	August 1, 2000
	15A NCAC 18A .1810 Water Supply		None	August 1, 2000
	15A NCAC 18A .1812 Guest Rooms		None	August 1, 2000
	15A NCAC 18A .1952 Septic Tank, Effluent Filter Dosing Tank		None	August 1, 2000
	15A NCAC 18A .1953 Prefabricated Septic Tanks and Pump Tanks		None	August 1, 2000
	15A NCAC 18A .1954 Minimum Standards for Precast Reinforced Concrete		None	August 1, 2000
	15A NCAC 18A .1955 Design and Installation Criteria		None	August 1, 2000
	15A NCAC 18A .2515 Design Details	Pools	None	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	15A NCAC 18C .0301 <i>Applicability</i>	General	State, local	August 1, 2000
	15A NCAC 18C .0302 <i>Submittals</i>		State, local	August 1, 2000
	15A NCAC 18C .0303 <i>Submissions Required by Engineer</i>		State, local	August 1, 2000
	15A NCAC 18C .0304 <i>Application for Approval</i>		State, local	August 1, 2000
	15A NCAC 18C .0305 <i>Approvals Necessary Before Contracting</i>		State, local	August 1, 2000
	15A NCAC 18C .0306 <i>Changes in Engineering Plans</i>		State, local	August 1, 2000
	15A NCAC 18C .0307 <i>Engineer's Water System Plan</i>		State, local	August 1, 2000
	15A NCAC 18C .0308 <i>Engineering Plans and Specifications</i>		State, local	August 1, 2000
	15A NCAC 18C .0309 <i>Final Approval</i>		State, local	August 1, 2000
	15A NCAC 18C .1304 <i>Water System Operation and Maintenance</i>	Water systems	State, local	August 1, 2000
	15A NCAC 18C .1513 <i>Total Trihalomethanes Sampling and Analysis</i>	Water systems	None	August 1, 2000
	15A NCAC 18C .1538 <i>Consumer Confidence Report</i>		State, local	August 1, 2000
	15A NCAC 18C .2007 <i>Enhanced Filtration and Disinfection</i>	Public water systems	State, local, substantial	August 1, 2000
	15A NCAC 18C .2008 <i>Disinfectants and Disinfection ByProducts</i>		State, local	
	15A NCAC 18D .0201 <i>Grades of Certification</i>	Certification	State, local	August 1, 2000
	15A NCAC 18D .0203 <i>Determination of Various Classes of Certification</i>		State, local	August 1, 2000
	15A NCAC 18D .0205 <i>Classification of Water Treatment Facilities</i>		State, local	August 1, 2000

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DHHS	15A NCAC 18D .0206 <i>Certified Operator Required</i>		State, local	August 1, 2000	
	15A NCAC 18D .0304 <i>Fee Schedules</i>	Fee schedules	State, local	August 1, 2000	
	15A NCAC 18D .0305 <i>Waiting Period</i>		State, local	August 1, 2000	
	15A NCAC 18D .0307 <i>Revocation of Certificate</i>		State, local	August 1, 2000	
	15A NCAC 18D .0308 <i>Professional Growth Hours</i>		State, local	August 1, 2000	
	15A NCAC 18D .0309 <i>Certification Reinstatement</i>		State, local	August 1, 2000	
	15A NCAC 18D .0403 <i>Issuance of Grade Certificate</i>	Certification	State, local	August 1, 2000	
	15A NCAC 18D .0701 <i>Operator in Responsible Charge</i>	Operators	State, local	August 1, 2000	
	15A NCAC 19A .0401 <i>Dosage and Age Requirements for Immunization</i>	Immunizations	None	August 1, 2000	
	15A NCAC 19A .0404 <i>Medical Exemptions from Immunization</i>		None	August 1, 2000	
	15A NCAC 19A .0406 <i>Access to Immunization Information</i>		None	August 1, 2000	
	15A NCAC 19A .0502 <i>Vaccine for Providers</i>		None	August 1, 2000	
	DHHS/COMMISSION FOR HEALTH SERVICES	15A NCAC 21F .1201 <i>General</i>	Screening program	None	August 1, 2000
		15A NCAC 21F .1202 <i>Definitions</i>		None	August 1, 2000
15A NCAC 21F .1203 <i>Screening Requirements</i>			None	August 1, 2000	
15A NCAC 21F .1204 <i>Reporting Requirements</i>			None	August 1, 2000	
15A NCAC 21H .0111 <i>Medical Services Provided</i>			State	April 1, 1999	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
DHHS/COMMISSION FOR HEALTH SERVICES	15A NCAC 21H .0113 <i>Procedure for Requesting Services</i>		State	April 1, 1999
/DHHS/COMMISSION FOR HEALTH SERVICES	15A NCAC 21H .0314 <i>Submission of Blood Specimens for Screening</i>	Blood specimen	None	August 1, 2000
COMMISSION FOR HEALTH SERVICES	15A NCAC 23 .0201 <i>Medical Examiner Fee</i>	Reports	None	August 1, 2000
	15A NCAC 23 .0202 <i>Pathology Fee</i>		State, local	August 1, 2000
	15A NCAC 23 .0204 <i>Hospital Fee</i>		None	August 1, 2000
	15A NCAC 23 .0501 <i>Investigation Before Cremation or Burial at Sea</i>	Deaths	None	August 1, 2000
	15A NCAC 24A .0402 <i>Reimbursement for Patient Hospitalization</i>	Inpatient hospitalization	None	August 1, 2000
WELL CONTRACTORS CERTIFICATION COMMISSION	15A NCAC 24A .0403 <i>Reimbursement for Patient Hospitalization</i>		None	August 1, 2000
	15A NCAC 26C .0101 <i>General</i>	General	None	August 1, 2000
	15A NCAC 26C .0102 <i>Definitions</i>		None	August 1, 2000
	15A NCAC 26C .0103 <i>Birth Defects Advisory Committee</i>		None	August 1, 2000
	15A NCAC 26C .0104 <i>Surveillance of Birth Defects</i>		None	August 1, 2000
	15A NCAC 26C .0105 <i>Confidentiality</i>		None	August 1, 2000
	15A NCAC 26C .0106 <i>Release of Monitoring Program Information</i>		None	August 1, 2000
	15A NCAC 27 .0101 <i>Duties of a Certified Well Contractor</i>	Certification rules	None	August 1, 2000
	15A NCAC 27 .0110 <i>Definitions</i>		None	August 1, 2000
	15A NCAC 27 .0201 <i>Schedule of Certification Fees</i>	Well Contractor Fees	None	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
WELL CONTRACTORS CERTIFICATION COMMISSION	15A NCAC 27 .0301 <i>Application Requirements for Certification</i>	Certification	None	August 1, 2000
	15A NCAC 27 .0401 <i>Submittal and Processing of Applications</i>	Certification by Exam	None	August 1, 2000
	15A NCAC 27 .0410 <i>Well Contractor Examinations</i>		None	August 1, 2000
	15A NCAC 27 .0420 <i>Time and Place of Examination</i>		None	August 1, 2000
	15A NCAC 27 .0430 <i>Conducting and Grading Examination</i>		None	August 1, 2000
	15A NCAC 27 .0440 <i>Examination Results and Issuance of Cert.</i>		None	August 1, 2000
	15A NCAC 27 .0501 <i>Certification by Legislative Exemption</i>	Certification without Exam	None	August 1, 2000
	15A NCAC 27 .0510 <i>Reciprocal Waiver of Exam for Certification</i>		None	August 1, 2000
	15A NCAC 27 .0520 <i>Temporary Certification</i>		None	August 1, 2000
	15A NCAC 27 .0601 <i>Conditions and Limitations for Renewal of Cert.</i>	Certification Renewal	None	August 1, 2000
	15A NCAC 27 .0801 <i>Requirements</i>	Continuing Education Requirements	None	August 1, 2000
	15A NCAC 27 .0810 <i>Units</i>		None	August 1, 2000
	15A NCAC 27 .0820 <i>Determination of Credit</i>		None	August 1, 2000
	15A NCAC 27 .0830 <i>Recordkeeping</i>		None	August 1, 2000
	15A NCAC 27 .0840 <i>Exemptions</i>		None	August 1, 2000
	15A NCAC 27 .0901 <i>Revocation, Relinquishment or Expiration</i>	Procedures for Disciplinary Action	None	August 1, 2000
	15A NCAC 27 .0910 <i>Recertification Following Revocation or Relinquish</i>		None	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
WELL CONTRACTORS CERTIFICATION COMMISSION	15A NCAC 27 .0920 <i>Notification to the Department</i>		None	August 1, 2000
	15A NCAC 27 .0930 <i>Civil Penalties</i>		None	August 1, 2000
EDUCATION, STATE BOARD OF				
	16 NCAC 6B .0108 <i>Purchasing Flexibility Exemption</i>	Transportation	None	July 1, 1999
	16 NCAC 6C .0102 <i>Nature of Licensure</i>	General	None	August 1, 2000
	16 NCAC 6C .0103 <i>State Board of Education Action</i>		None	August 1, 2000
	16 NCAC 6C .0202 <i>Application for Approval; Criteria</i>	Teacher education	None	August 1, 2000
	16 NCAC 6C .0205 <i>State Board Review Standards and Approval Actions</i>		None	August 1, 2000
	16 NCAC 6C .0206 <i>Consortium-Based Programs and Innovative Progra</i>		None	August 1, 2000
	16 NCAC 6C .0207 <i>Prospective Teacher Scholarship Loans</i>		None	August 1, 2000
	16 NCAC 6C .0301 <i>General Information</i>	General	None	August 1, 2000
	16 NCAC 6C .0302 <i>Credit</i>		None	August 1, 2000
	16 NCAC 6C .0303 <i>Program Requirements for Licensure</i>		None	August 1, 2000
	16 NCAC 6C .0304 <i>License Patterns</i>		None	August 1, 2000
	16 NCAC 6C .0305 <i>Licenses for Non-Teacher Education Graduates</i>		None	August 1, 2000
	16 NCAC 6C .0306 <i>License Endorsement</i>		None	August 1, 2000
	16 NCAC 6C .0307 <i>License Renewal</i>		None	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	16 NCAC 6C .0308 <i>Expired Licenses</i>		None	August 1, 2000
	16 NCAC 6C .0309 <i>Reciprocity in Licensure</i>		None	August 1, 2000
	16 NCAC 6C .0311 <i>Temporary Permit</i>		None	August 1, 2000
	16 NCAC 6C .0312 <i>License Suspension and Revocation</i>		None	August 1, 2000
	16 NCAC 6C .0313 <i>Criminal History Checks</i>		None	August 1, 2000
	16 NCAC 6E .0202 <i>Interscholastic Athletics</i>	Athletic competition	None	August 1, 2000
	16 NCAC 6E .0301 <i>Driver Training</i>	Operation of motor vehicles	None	July 1, 1999
	16 NCAC 6G .0502 <i>Charter School Advisory Committee</i>	Charter schools	None	August 1, 2000
	16 NCAC 6H .0103 <i>Complaint Procedures for Federal Programs</i>		None	August 1, 2000
	16 NCAC 6H .0106 <i>Non-Instructional Special Education Services</i>		None	August 1, 2000
REVENUE, DEPARTMENT OF				
	17 NCAC 1C .0502 <i>Method of Payment</i>	Payments	None	July 1, 2000
	17 NCAC 1C .0504 <i>EFT General Requirements</i>		None	July 1, 2000
	17 NCAC 1C .0506 <i>Voluntary EFT Program Participation</i>		None	July 1, 2000
	17 NCAC 1C .0509 <i>EFT Payment Procedures-General Provisions</i>		None	July 1, 2000
	17 NCAC 1C .0601 <i>Substitute Forms</i>	Forms	None	July 1, 2000
	17 NCAC 3B .0302 <i>Step-Grandchildren</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	17 NCAC 3C .0008 <i>Extensions</i>	Applications	None	July 1, 2000
	17 NCAC 4B .0102 <i>Transfer Fee</i>	Fees	None	July 1, 2000
	17 NCAC 4B .0104 <i>Refunds</i>		None	July 1, 2000
	17 NCAC 4B .0105 <i>Churches or Charitable Organizations</i>		None	July 1, 2000
	17 NCAC 4B .0106 <i>Ceded Areas</i>		None	July 1, 2000
	17 NCAC 4B .0107 <i>Blind Persons</i>		None	July 1, 2000
	17 NCAC 4B .0301 <i>Not Prorated</i>		None	July 1, 2000
	17 NCAC 4B .0302 <i>Computation and Payment of Amusement Gross Recei</i>	Computation	None	July 1, 2000
	17 NCAC 4B .0306 <i>Civic Organization Amusements</i>		None	July 1, 2000
	17 NCAC 4B .0308 <i>Drag Strips and Go-Cart Races</i>		None	July 1, 2000
	17 NCAC 4B .0309 <i>Go-Cart Races</i>		None	July 1, 2000
	17 NCAC 4B .0310 <i>Fishing Piers</i>		None	July 1, 2000
	17 NCAC 4B .0311 <i>Horse and Dog Shows</i>		None	July 1, 2000
	17 NCAC 4B .0312 <i>Rattlesnake Milkings</i>		None	July 1, 2000
	17 NCAC 4B .0403 <i>Report of Gross Receipts Tax</i>		None	July 1, 2000
	17 NCAC 4B .0405 <i>Expected Contribution</i>		None	July 1, 2000
	17 NCAC 4B .2902 <i>Liability for Direct Loans</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	17 NCAC 4B .2903 <i>Quarterly Return</i>		None	July 1, 2000
	17 NCAC 4B .4301 <i>Application for Privilege License</i>	Licenses	None	July 1, 2000
	17 NCAC 4B .4301 <i>Application for Privilege License</i>		None	July 1, 2000
	17 NCAC 4B .4302 <i>Privilege License</i>		None	July 1, 2000
	17 NCAC 4B .4302 <i>Privilege License</i>		None	July 1, 2000
	17 NCAC 4B .4401 <i>Penalty Provisions</i>	Penalties	None	July 1, 2000
	17 NCAC 4B .4402 <i>Rate or Penalty; Interest</i>		None	July 1, 2000
	17 NCAC 4C .0603 <i>Tax on Complimentary Packs</i>	Cigarettes	None	July 1, 2000
	17 NCAC 4C .1101 <i>Dealers on Trains</i>	Cigarettes on railroads	None	July 1, 2000
	17 NCAC 4C .1801 <i>Monthly Return Requirements</i>	Reports	None	July 1, 2000
	17 NCAC 4E .0102 <i>Application for License</i>		None	July 1, 2000
	17 NCAC 4E .0103 <i>Penalty</i>		None	July 1, 2000
	17 NCAC 4E .0201 <i>Filing of Monthly Reports</i>	Reports	None	July 1, 2000
	17 NCAC 4E .0201 <i>Filing of Monthly Reports</i>	Forms	None	July 1, 2000
	17 NCAC 4E .0202 <i>Examiner's Report</i>		None	July 1, 2000
	17 NCAC 4E .0203 <i>Separate Reports for Wines</i>		None	July 1, 2000
	17 NCAC 4E .0302 <i>Spoilage of Taxpaid Beer or Wine</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	17 NCAC 4E .0703 <i>Questionnaires</i>	Counties	None	July 1, 2000
	17 NCAC 4F .0001 <i>Issuance of Stamps</i>		None	July 1, 2000
	17 NCAC 4F .0002 <i>Denomination of Stamps</i>		None	July 1, 2000
	17 NCAC 4F .0003 <i>Cost of Stamps</i>		None	July 1, 2000
	17 NCAC 4F .0004 <i>Postage Paid</i>		None	July 1, 2000
	17 NCAC 4F .0005 <i>Conveyance Tax Report</i>		None	July 1, 2000
	17 NCAC 5B .0603 <i>Form to be Used for Filing</i>	Forms	None	July 1, 2000
	17 NCAC 5B .0803 <i>Corporation Billed for the Tax</i>	Corporations	None	July 1, 2000
	17 NCAC 5B .0903 <i>Corporation Billed for the Tax</i>		None	July 1, 2000
	17 NCAC 5B .1112 <i>Borrowed Capital Defined</i>		None	July 1, 2000
	17 NCAC 5C .0702 <i>Business and Nonbusiness Income Defined</i>	Business income	None	July 1, 2000
	17 NCAC 5C .0703 <i>Business and Nonbusiness Income</i>		None	July 1, 2000
	17 NCAC 5C .2003 <i>Interest and Penalties</i>		None	July 1, 2000
	17 NCAC 6B .0105 <i>Reproduced Copies</i>	Copies	None	July 1, 2000
	17 NCAC 6B .0118 <i>Electronic Filing of Individual Income Tax Returns</i>		None	July 1, 1999
	17 NCAC 6B .0605 <i>Solar Energy Equipment Tax Credit</i>	Solar energy	None	July 1, 2000
	17 NCAC 6B .3408 <i>Waiver of Time Limitation</i>	Waiver	None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	17 NCAC 6B .3503 <i>partnership Returns</i>	Partnerships	None	July 1, 2000
	17 NCAC 7B .0104 <i>Returns</i>	General	None	July 1, 2000
	17 NCAC 7B .0118 <i>Change in Ownership</i>		None	July 1, 2000
	17 NCAC 7B .0123 <i>Commercial Fishermen</i>		None	July 1, 2000
	17 NCAC 7B .0124 <i>Erroneous Information</i>		None	July 1, 2000
	17 NCAC 7B .0125 <i>Flea Markets</i>		None	July 1, 2000
	17 NCAC 7B .0207 <i>Purchases by Manufacturers</i>	Manufacturers	None	July 1, 2000
	17 NCAC 7B .1401 <i>Prescription Medicine and Drugs</i>	Drugs	None	July 1, 2000
	17 NCAC 7B .1402 <i>Medicines: Sales to Physicians</i>	Medicine	None	July 1, 2000
	17 NCAC 7B .1404 <i>Medical Supplies and Equipment</i>		None	July 1, 2000
	17 NCAC 7B .1601 <i>Institutions: Etc.</i>	Nonprofit entities	None	July 1, 2000
	17 NCAC 7B .1602 <i>Refunds to Nonprofit Entities</i>		None	July 1, 2000
	17 NCAC 7B .1702 <i>Refunds to Counties, Cities, Etc.</i>	Refunds	None	July 1, 2000
	17 NCAC 7B .1801 <i>Sales to and by Hospitals</i>	Hospitals	None	July 1, 2000
	17 NCAC 7B .1802 <i>Refunds to Hospitals and Similar Institutions</i>		None	July 1, 2000
	17 NCAC 7B .1902 <i>Secondhand Tires</i>	Tires	None	July 1, 2000
	17 NCAC 7B .2101 <i>Electricity, Piped Natural Gas, and Other Fuel</i>	Fuels	None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	17 NCAC 7B .2213 <i>Service Charge</i>	Service charges	None	July 1, 2000
	17 NCAC 7B .2401 <i>Sales to Veterinarians</i>	Veterinarians	None	July 1, 2000
	17 NCAC 7B .2402 <i>Sales by Veterinarians</i>		None	July 1, 2000
	17 NCAC 7B .2801 <i>Florist: Nurserymen: Greenhouse Operators</i>	Retail sales	None	July 1, 2000
	17 NCAC 7B .2901 <i>Sales through Vending Machines</i>	Vending machines	None	July 1, 2000
	17 NCAC 7B .2903 <i>Exclusion of Tax from Receipts</i>		None	July 1, 2000
	17 NCAC 7B .3001 <i>Trade-Ins</i>	Trade-ins	None	July 1, 2000
	17 NCAC 7B .3004 <i>Secondhand Property</i>		None	July 1, 2000
	17 NCAC 7B .3009 <i>Trade-Ins: Transfer to New Business</i>		None	July 1, 2000
	17 NCAC 7B .3010 <i>Trade-Ins on Exempt Sales</i>		None	July 1, 2000
	17 NCAC 7B .3013 <i>Used Parts from Junked Property</i>		None	July 1, 2000
	17 NCAC 7B .3204 <i>Cellular Telephone Companies</i>	Telephones	None	July 1, 2000
	17 NCAC 7B .4301 <i>Refunds to Interstate Carriers</i>	Interstate carriers	None	July 1, 2000
	17 NCAC 7B .4303 <i>Refund Claims: Limitations</i>		None	July 1, 2000
	17 NCAC 9I .0302 <i>Refunds</i>	Refunds	None	July 1, 2000
	17 NCAC 9K .0601 <i>Records of Exempt Sales</i>		None	July 1, 2000
	17 NCAC 9K .0602 <i>Record-Keeping Requirements</i>	Bulk-end users	None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	17 NCAC 9L .0403 <i>Reporting Sales and Deliveries</i>	Propane gas suppliers	None	July 1, 2000
	17 NCAC 10 .0101 <i>Location</i>	General	None	July 1, 2000
	17 NCAC 10 .0405 <i>Procedure for Claiming Exclusion</i>	Procedures	None	July 1, 2000
	17 NCAC 10 .0504 <i>Certification Requirements for County Assessors</i>	Assessors	None	July 1, 2000
	17 NCAC 10 .0505 <i>Continuing Education Requirements</i>		None	July 1, 2000
SECRETARY OF STATE				
	18 NCAC 6 .1212 <i>Notice Filing Procedures for Offerings</i>	Notices	None	August 1, 2000
	18 NCAC 6 .1304 <i>Securities Registration and Filing Fees</i>	Fees	None	August 1, 2000
	18 NCAC 6 .1502 <i>Application to Exchange Securities</i>	Securities	None	August 1, 2000
TRANSPORTATION, DEPARTMENT OF				
DIVISION OF HIGHWAYS	19A NCAC 2D .0415 <i>General Regulations for Drawbridges</i>	Drawbridges	None	August 1, 2000
	19A NCAC 2E .0201 <i>Definitions for Outdoor Advertising Control</i>	Advertising control	None	August 1, 2000
	19A NCAC 2E .0202 <i>Agreement</i>		None	August 1, 2000
	19A NCAC 2E .0203 <i>Outdoor Advertising on Interstate and Federal High</i>		Local	August 1, 2000
	19A NCAC 2E .0206 <i>Applications</i>		None	August 1, 2000
	19A NCAC 2E .0207 <i>Fees and Renewals</i>		None	August 1, 2000
	19A NCAC 2E .0208 <i>Permit and Permit Emblem</i>		None	August 1, 2000
	19A NCAC 2E .0209 <i>Transfer of Permit/Change of Address</i>		None	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date	
DIVISION OF HIGHWAYS	19A NCAC 2E .0210 <i>Revocation of Permit</i>		None	August 1, 2000	
	19A NCAC 2E .0211 <i>Notice Given for Refusing to Issue Permit</i>		None	August 1, 2000	
	19A NCAC 2E .0212 <i>Notice Given for Revoking Permit</i>		None	August 1, 2000	
	19A NCAC 2E .0213 <i>Appeal of Decision of District Engineer</i>		None	August 1, 2000	
	19A NCAC 2E .0214 <i>Standards for Directional Signs</i>		None	August 1, 2000	
	19A NCAC 2E .0215 <i>Permits for Directional Signs</i>		State	August 1, 2000	
	19A NCAC 2E .0221 <i>Fees</i>	Initial fees	None	August 1, 2000	
	19A NCAC 2E .0222 <i>Contracts with the Department</i>		None	August 1, 2000	
	19A NCAC 2E .0224 <i>Scenic Byways</i>		None	August 1, 2000	
	19A NCAC 2E .0225 <i>Repair/Maintenance/Alteration of Signs</i>		None	August 1, 2000	
	19A NCAC 2E .0226 <i>Order to Stop Work</i>		None	August 1, 2000	
	19A NCAC 2E .0602 <i>Requests for Permits</i>	Applications	None	August 1, 2000	
	19A NCAC 2E .0603 <i>Issuance or Denial of Permit</i>	Applications	None	August 1, 2000	
	19A NCAC 2E .0604 <i>Conditions of Permit</i>		None	August 1, 2000	
	DIVISION OF MOTOR VEHICLES	19A NCAC 3G .0203 <i>School Bus Driver Certificates</i>	Scope of rules	None	August 1, 2000
		19A NCAC 3G .0205 <i>Issuing of Original Certificate</i>		None	August 1, 2000
19A NCAC 3G .0206 <i>Period of Certification</i>			None	August 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date	
N C AUCTIONEERS COMMISSION	21 NCAC 4B .0102 <i>Board Office</i>	General	None	June 1, 1999	
N C STATE BOARD OF CHIROPRACTIC EXAMINERS	21 NCAC 10 .0203 <i>Examinations</i>	Examinations	None	January 1, 2000	
N C BOARD OF EMPLOYEE ASSISTANCE PROFESSIONALS	21 NCAC 11 .0101 <i>Scope</i>	Administration	State, local	August 1, 2000	
	21 NCAC 11 .0104 <i>License Application</i>		State, local	August 1, 2000	
	21 NCAC 11 .0105 <i>Transcripts and Other Supporting Documents</i>		State, local	August 1, 2000	
	21 NCAC 11 .0106 <i>Review of Applications</i>		State, local	August 1, 2000	
	21 NCAC 11 .0107 <i>Notice of Denial of Initial Application</i>		State, local	August 1, 2000	
	21 NCAC 11 .0108 <i>Disciplinary Action/Hearing</i>		State, local	August 1, 2000	
	21 NCAC 11 .0109 <i>Curricula and Minimum Standards for Training</i>		State, local	August 1, 2000	
	21 NCAC 11 .0110 <i>Ethical Standards</i>		State, local	August 1, 2000	
	21 NCAC 11 .0111 <i>Fees</i>		State, local	August 1, 2000	
	21 NCAC 11 .0112 <i>Penalties</i>		State, local	August 1, 2000	
	N C LICENSING BOARD FOR GENERAL CONTRACTORS	21 NCAC 12 .0202 <i>Classification</i>	Classifications	None	August 1, 2000
		21 NCAC 12 .0204 <i>Eligibility</i>	Licenses	None	August 1, 2000
		21 NCAC 12 .0205 <i>Filing Deadline/App Seeking Qual</i>		None	August 1, 2000
21 NCAC 12 .0209 <i>Application</i>			None	August 1, 2000	
	21 NCAC 12 .0307 <i>Notice of Approval</i>	Examination	None	August 1, 2000	

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N C LICENSING BOARD FOR GENERAL CONTRACTORS	21 NCAC 12 .0402 <i>Subject Matter</i>	Examinations	None	August 1, 2000
	21 NCAC 12 .0405 <i>Examination Schedule</i>		None	August 1, 2000
	21 NCAC 12 .0410 <i>Failing Examination</i>		None	August 1, 2000
	21 NCAC 12 .0504 <i>Increase in Limitation</i>	General	None	August 1, 2000
	21 NCAC 12 .0901 <i>Definitions</i>	Definitions	None	August 1, 2000
	21 NCAC 12 .0907 <i>Homeowners Recovery Fund Hearing</i>		None	August 1, 2000
	COSMETIC ART EXAMINERS, STATE BOARD OF	21 NCAC 14A .0101 <i>Definitions</i>	General	None
21 NCAC 14A .0103 <i>Office Hours</i>			None	August 1, 2000
21 NCAC 14A .0105 <i>Purpose and Responsibility</i>			None	August 1, 2000
21 NCAC 14C .0202 <i>Prerequisites</i>		Hearings	None	August 1, 2000
21 NCAC 14F .0101 <i>Applications for Salon License</i>		Salons	None	August 1, 2000
21 NCAC 14F .0105 <i>Newly Established Residential Salons</i>			None	August 1, 2000
21 NCAC 14G .0103 <i>Space Requirements</i>		Schools	None	August 1, 2000
21 NCAC 14H .0112 <i>Cleanliness of Clinic Area</i>		Clinic area	None	August 1, 2000
21 NCAC 14H .0118 <i>Systems of Grading Beauty Establishment</i>			None	August 1, 2000
21 NCAC 14I .0104 <i>Withdrawals</i>		General	None	August 1, 2000
21 NCAC 14I .0107 <i>Report of Enrollment</i>			None	August 1, 2000

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COSMETIC ART EXAMINERS, STATE BOARD OF	21 NCAC 14I .0109 <i>Summary of Cosmetic Art Education</i>		None	August 1, 2000
	21 NCAC 14J .0103 <i>Time Requirements According to Hours</i>	Requirements	None	August 1, 2000
	21 NCAC 14J .0208 <i>Internships</i>	Internship program	None	August 1, 2000
	21 NCAC 14J .0501 <i>Approval of Credit for Cosmetology Instructor</i>	Instruction	None	August 1, 2000
	21 NCAC 14K .0102 <i>Course of Study</i>	Manicurists	None	August 1, 2000
	21 NCAC 14K .0107 <i>Live Model Performances</i>		None	August 1, 2000
	21 NCAC 14L .0101 <i>Qualifications-Cosmetologists Teachers</i>	Qualifications	None	August 1, 2000
	21 NCAC 14L .0105 <i>Qualifications-Manicurists Teachers</i>		None	August 1, 2000
	21 NCAC 14L .0216 <i>Teacher Training Curriculum</i>	Training	None	August 1, 2000
	21 NCAC 14N .0101 <i>Time and Place of Examinations</i>	Examinations	None	August 1, 2000
	21 NCAC 14N .0102 <i>Initial Applications and Fees</i>		None	August 1, 2000
	21 NCAC 14N .0103 <i>General Examination Instructions</i>		None	August 1, 2000
	21 NCAC 14N .0104 <i>Live Model Requirements</i>		None	August 1, 2000
	21 NCAC 14N .0105 <i>Mannequin Requirements</i>		None	August 1, 2000
	21 NCAC 14N .0108 <i>Failure to Appear for Examination</i>		None	August 1, 2000
	21 NCAC 14N .0110 <i>Passing Grade for Examination</i>		None	August 1, 2000
	21 NCAC 14N .0112 <i>Review of Examination</i>		None	August 1, 2000

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COSMETIC ART EXAMINERS, STATE BOARD OF	21 NCAC 14N .0113 <i>Re-Examination</i>		None	August 1, 2000
	21 NCAC 14N .0601 <i>Examination Theory Section</i>	Examinations	None	August 1, 2000
	21 NCAC 14N .0602 <i>Examination Practical Section</i>		None	August 1, 2000
	21 NCAC 14N .0701 <i>Examination Theory Section</i>	Examinations	None	August 1, 2000
	21 NCAC 14N .0702 <i>Examination Practical Section</i>		None	August 1, 2000
	21 NCAC 14O .0101 <i>Uniforms</i>	Requirements	None	August 1, 2000
	21 NCAC 14O .0102 <i>Course of Study</i>		None	August 1, 2000
	21 NCAC 14O .0103 <i>Equipment and Instruments</i>		None	August 1, 2000
	21 NCAC 14O .0104 <i>Services Performed</i>		None	August 1, 2000
	21 NCAC 14O .0106 <i>Live Model Performances</i>		None	August 1, 2000
	21 NCAC 14O .0107 <i>Sanitation</i>		None	August 1, 2000
	21 NCAC 14P .0101 <i>Schedule of Civil Penalties</i>	Civil penalties	None	August 1, 2000
	21 NCAC 14P .0102 <i>Qualifications for Licensing Teachers</i>		None	August 1, 2000
	21 NCAC 14P .0103 <i>Temporary Employment Permit</i>		None	August 1, 2000
	21 NCAC 14P .0104 <i>Licensing of Cosmetic Art Shops</i>		None	August 1, 2000
	21 NCAC 14P .0105 <i>Renewals: Expired Licenses</i>		None	August 1, 2000
	21 NCAC 14P .0106 <i>Licenses Required</i>		None	August 1, 2000

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COSMETIC ART EXAMINERS, STATE BOARD OF	21 NCAC 14P .0107 <i>Licenses to be Posted</i>		None	August 1, 2000	
	21 NCAC 14P .0108 <i>Revocation of Licenses and Other Disciplinary Meas</i>		None	August 1, 2000	
	21 NCAC 14P .0109 <i>Inspections</i>		None	August 1, 2000	
	21 NCAC 14P .0110 <i>Licensing of Beauty Salons</i>		None	August 1, 2000	
	21 NCAC 14P .0111 <i>Establishment of Cosmetic Art Schools</i>		None	August 1, 2000	
	21 NCAC 14P .0112 <i>Sanitary Ratings</i>		None	August 1, 2000	
	21 NCAC 14P .0113 <i>Operations of Schools of Cosmetic Art</i>		None	August 1, 2000	
	21 NCAC 14P .0114 <i>Cosmetology Curriculum</i>		None	August 1, 2000	
	21 NCAC 14P .0115 <i>Sanitary Ratings</i>		None	August 1, 2000	
	21 NCAC 14P .0116 <i>Civil Penalty Procedures</i>		None	August 1, 2000	
	DENTAL EXAMINERS, BOARD OF	21 NCAC 16G .0101 <i>Functions Which May Be Delegated</i>	Delegations	None	August 1, 2000
		21 NCAC 16G .0102 <i>Functions Which Shall not be Delegated</i>		None	August 1, 2000
		21 NCAC 16G .0103 <i>Procedures Prohibited</i>		None	August 1, 2000
		21 NCAC 16H .0103 <i>Dental Assistant II</i>	Assistants	None	August 1, 2000
21 NCAC 16H .0104 <i>Approved Education & Training Programs</i>			None	August 1, 2000	
21 NCAC 16H .0201 <i>General Permitted Functions of Dental Assistant I</i>		Functions	None	August 1, 2000	
21 NCAC 16H .0202 <i>Specific Permitted Functions</i>			None	August 1, 2000	

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DENTAL EXAMINERS, BOARD OF	21 NCAC 16H .0203 <i>Permitted Functions of Dental Assistant II</i>		None	August 1, 2000	
	21 NCAC 16H .0204 <i>General Prohibited Functions of Dental Assistants</i>		None	August 1, 2000	
	21 NCAC 16H .0205 <i>Specific Prohibited Functions of Dental Assistants</i>		None	August 1, 2000	
	21 NCAC 16M .0101 <i>Dentists</i>	Fees	None	August 1, 2000	
	21 NCAC 16Q .0201 <i>Credentials and Permit</i>	Permits	None	August 1, 2000	
	21 NCAC 16Q .0202 <i>Equipment</i>		None	August 1, 2000	
	21 NCAC 16Q .0301 <i>Sedation Credentials and Permit</i>	Sedation	None	August 1, 2000	
	21 NCAC 16Q .0302 <i>Equipment</i>		None	August 1, 2000	
	21 NCAC 16V .0101 <i>Definition</i>	Definitions	None	August 1, 2000	
	21 NCAC 16V .0102 <i>Definition</i>		None	August 1, 2000	
	N C BOARD OF REGISTRATION FOR FORESTERS	21 NCAC 20 .0101 <i>Purpose of Program</i>	Registration	None	August 1, 2000
		21 NCAC 20 .0103 <i>Qualifications for Registration</i>		None	August 1, 2000
		21 NCAC 20 .0104 <i>Examinations</i>		None	August 1, 2000
		21 NCAC 20 .0105 <i>References</i>		None	August 1, 2000
21 NCAC 20 .0106 <i>Registration Fees</i>			None	August 1, 2000	
21 NCAC 20 .0117 <i>Reciprocity</i>			None	August 1, 2000	
21 NCAC 20 .0120 <i>Certification of Consulting Foresters</i>			None	August 1, 2000	

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N C BOARD OF REGISTRATION FOR FORESTERS	21 NCAC 20 .0122 <i>Handling of Complaints</i>		None	August 1, 2000
	21 NCAC 20 .0123 <i>Continuing Education</i>		None	August 1, 2000
N C BOARD FOR LICENSING OF GEOLOGISTS	21 NCAC 21 .0501 <i>Filing of Charges</i>	Disciplinary action and procedures	None	August 1, 2000
	21 NCAC 21 .0502 <i>Reprimand</i>		None	August 1, 2000
	21 NCAC 21 .0514 <i>Investigation</i>		None	August 1, 2000
	21 NCAC 21 .0515 <i>Disciplinary Procedure</i>		None	August 1, 2000
	21 NCAC 21 .1101 <i>Rules of Professional Conduct</i>	Professional conduct	None	August 1, 2000
	21 NCAC 21 .1102 <i>Rules of Conduct of Advertising</i>		None	August 1, 2000
	N C BOARD OF LANDSCAPE ARCHITECTS	21 NCAC 26 .0101 <i>Authority: Name and Location of Board</i>	Authority	Local
21 NCAC 26 .0104 <i>Forms</i>			Local	August 1, 2000
21 NCAC 26 .0105 <i>Fees</i>			Local	August 1, 2000
21 NCAC 26 .0302 <i>Temporary Permit</i>		Permits	Local	August 1, 2000
N C MEDICAL BOARD		21 NCAC 32R .0101 <i>Continuing Medical Education Required</i>	CME requirements	None
	21 NCAC 32R .0102 <i>Approved Categories of CME</i>		None	January 1, 2001
	21 NCAC 32R .0103 <i>Exceptions</i>		None	January 1, 2001
	21 NCAC 32R .0104 <i>Reporting</i>		None	January 1, 2001
MIDWIFERY JOINT COMMITTEE	21 NCAC 33 .0101 <i>Administrative Body and Definitions</i>	Administration	None	July 1, 2000

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MIDWIFERY JOINT COMMITTEE	21 NCAC 33 .0102 <i>Fees</i>		None	July 1, 2000
	21 NCAC 33 .0104 <i>Physician Supervision</i>		None	July 1, 2000
N C BOARD OF NURSING	21 NCAC 36 .0213 <i>Reexamination</i>	Examinations	None	August 1, 2000
	21 NCAC 36 .0220 <i>Refresher Course</i>	Licensure	None	July 1, 2000
	21 NCAC 36 .0221 <i>Licensure Required</i>		None	July 1, 2000
	21 NCAC 36 .0227 <i>Approval and Practice Parameters for Nurse Prac.</i>		None	July 1, 2000
	21 NCAC 36 .0318 <i>Faculty</i>	Faculty members	None	July 1, 2000
	21 NCAC 36 .0404 <i>Listing and Renewal</i>	Nurse aides	None	July 1, 2000
	21 NCAC 36 .0405 <i>Approval of Nurse Aide Education Programs</i>		None	July 1, 2000
	21 NCAC 36 .0701 <i>Definitions of Terms in the Compact</i>	Nurse licensure compact	None	July 1, 2000
	21 NCAC 36 .0702 <i>Issuance of a License by a Compact Party State</i>		None	July 1, 2000
	21 NCAC 36 .0703 <i>Limitations on Multistate Licensure Privilege</i>		None	July 1, 2000
	21 NCAC 36 .0704 <i>Information System</i>		None	July 1, 2000
	21 NCAC 36 .0705 <i>Party State Licensure Requirements</i>		None	July 1, 2000
N C STATE BOARD OF EXAMINERS FOR NURSING HOME	21 NCAC 37D .0202 <i>Initial Licensure Fee</i>	Licensure	None	July 1, 2000
	21 NCAC 37D .0302 <i>Combination of Education and Experience</i>	Requirements	None	July 1, 2000
	21 NCAC 37D .0303 <i>Required Course</i>		None	July 1, 2000

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N C STATE BOARD OF EXAMINERS FOR NURSING HOME	21 NCAC 37D .0403 <i>Training Permit</i>	AIT programs	None	July 1, 2000
	21 NCAC 37D .0405 <i>Administrator-in-Training Program</i>		None	July 1, 2000
	21 NCAC 37D .0407 <i>AIT Time on the Job</i>		None	July 1, 2000
	21 NCAC 37D .0502 <i>Preceptor Qualifications</i>	Preceptors	None	July 1, 2000
	21 NCAC 37D .0504 <i>Preceptor Compliance</i>		None	July 1, 2000
	21 NCAC 37D .0601 <i>Eligibility</i>	Eligibility	None	July 1, 2000
	21 NCAC 37D .0603 <i>National Examination Administration</i>		None	July 1, 2000
	21 NCAC 37D .0605 <i>Subject Areas</i>		None	July 1, 2000
	21 NCAC 37D .0701 <i>Eligibility</i>	Examinations	None	July 1, 2000
	21 NCAC 37D .0704 <i>Grade Required</i>		None	July 1, 2000
	21 NCAC 37E .0101 <i>Application Process</i>	Application	None	July 1, 2000
	21 NCAC 37E .0102 <i>Application Contents</i>		None	July 1, 2000
	21 NCAC 37E .0102 <i>Application Contents</i>		None	July 1, 2000
	21 NCAC 37F .0101 <i>Prerequisites for Temporary License</i>	Licenses	None	July 1, 2000
	21 NCAC 37F .0102 <i>Issuance and Renewal of Temporary License</i>		None	July 1, 2000
	21 NCAC 37F .0102 <i>Issuance and Renewal of Temporary License</i>		None	July 1, 2000
21 NCAC 37G .0102 <i>Renewal Fee</i>	Applications	None	July 1, 2000	

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N C STATE BOARD OF EXAMINERS FOR NURSING HOME	21 NCAC 37G .0201	Requirements	None	July 1, 2000
	<i>Inactive Status Requirements</i>			
	21 NCAC 37G .0201	Administrators	None	July 1, 2000
	<i>Inactive Status Requirements</i>			
	21 NCAC 37H .0102		None	July 1, 2000
	<i>Continuing Education Programs of Study</i>			
	21 NCAC 37H .0102	Programs of study	None	July 1, 2000
<i>Continuing Education Programs of Study</i>				
21 NCAC 37H .0104		None	July 1, 2000	
<i>Preceptor Credit</i>				
21 NCAC 37I .0101	Investigations	None	July 1, 2000	
<i>Investigation: Discipline: and Contested Case Proc</i>				
N C BOARD OF PHARMACY	21 NCAC 46 .1413		None	August 1, 2000
	<i>Absence of Pharmacist</i>			
	21 NCAC 46 .1508	Examinations	None	August 1, 2000
	<i>Prerequisites for Disease State Management Exam</i>			
	21 NCAC 46 .1804	Prescriptions	None	April 1, 1999
	<i>Prescription: Receiving and Dispensing</i>			
	21 NCAC 46 .1814	Dispensing	None	August 1, 2000
<i>Automated Dispensing or Drug Supply Devices</i>				
21 NCAC 46 .1815	Refills	None	August 1, 2000	
<i>Emergency Prescription Refill</i>				
21 NCAC 46 .1816		None	August 1, 2000	
<i>Procedures for Centralized Processing</i>				
N C BOARD OF PHYSICAL THERAPY EXAMINERS	21 NCAC 48F .0102	Fees	None	August 1, 2000
	<i>Fees</i>			
STATE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE	21 NCAC 50 .0304	Examinations	None	August 1, 2000
	<i>Special Examinations</i>			
	21 NCAC 50 .0310		None	August 1, 2000
<i>Applications for Licensure by Reciprocity</i>				
21 NCAC 50 .0402	Permits	None	August 1, 2000	
<i>Permits</i>				
21 NCAC 50 .0404		None	August 1, 2000	
<i>Active Employment</i>				

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STATE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE	21 NCAC 50 .0406 <i>Responsibility of Licensed Person</i>		None	August 1, 2000
	21 NCAC 50 .0412 <i>Guidelines on Disciplinary Actions</i>		None	August 1, 2000
	21 NCAC 50 .0501 <i>Air Conditioning Further Defined</i>	General	None	August 1, 2000
	21 NCAC 50 .0508 <i>Heating: License Required Alterations</i>		None	August 1, 2000
	21 NCAC 50 .0512 <i>Employees Exempted from Licensure</i>		None	August 1, 2000
	21 NCAC 50 .1001 <i>Right to Hearing</i>	Hearings	None	August 1, 2000
	21 NCAC 50 .1004 <i>Notice of Hearing</i>		None	August 1, 2000
	21 NCAC 50 .1006 <i>Informal Procedures</i>		None	August 1, 2000
	21 NCAC 50 .1007 <i>Petition for Intervention</i>		None	August 1, 2000
	21 NCAC 50 .1008 <i>Types of Intervention</i>		None	August 1, 2000
	21 NCAC 50 .1009 <i>Disqualification of Board Members</i>		None	August 1, 2000
	21 NCAC 50 .1010 <i>Subpoenas</i>		None	August 1, 2000
	21 NCAC 50 .1011 <i>Witnesses</i>		None	August 1, 2000
	21 NCAC 50 .1013 <i>Proposals for Decision</i>		None	August 1, 2000
	21 NCAC 50 .1014 <i>Administrative Hearing Procedures</i>		None	August 1, 2000
	21 NCAC 50 .1101 <i>Examination Fees</i>	Fees	None	August 1, 2000
	21 NCAC 50 .1204 <i>Notice of Rulemaking Hearings</i>	Rulemaking	None	August 1, 2000

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STATE BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE	21 NCAC 50 .1205 <i>Notice of Mailing List</i>		None	August 1, 2000
	21 NCAC 50 .1206 <i>Additional Information</i>		None	August 1, 2000
	21 NCAC 50 .1210 <i>Written Submissions</i>		None	August 1, 2000
	21 NCAC 50 .1212 <i>Statement of Reasons for Decision</i>		None	August 1, 2000
	21 NCAC 50 .1213 <i>Record of Proceedings</i>		None	August 1, 2000
	21 NCAC 50 .1214 <i>Temporary Rules</i>		None	August 1, 2000
N C PSYCHOLOGY BOARD	21 NCAC 54 .2704 <i>HSP-P Requirements</i>	Requirements	None	August 1, 2000
	21 NCAC 54 .2706 <i>HSP-PA Requirements</i>		None	August 1, 2000
N C BOARD OF EXAMINERS OF ENGINEERS AND SURVEYORS	21 NCAC 56 .0101 <i>Identification</i>	Organization of board	None	August 1, 2000
	21 NCAC 56 .0103 <i>Organization</i>		None	August 1, 2000
	21 NCAC 56 .0104 <i>Description of Seal</i>		None	August 1, 2000
	21 NCAC 56 .0402 <i>Records of Applications</i>	Registration	None	August 1, 2000
	21 NCAC 56 .0501 <i>Requirements for Licensing</i>	Licensing	None	August 1, 2000
	21 NCAC 56 .0502 <i>Application Procedure: Individual</i>		None	August 1, 2000
	21 NCAC 56 .0505 <i>Expirations and Renewals of Certificates</i>		None	August 1, 2000
	21 NCAC 56 .0601 <i>Requirements for Licensing</i>	Education requirements	None	August 1, 2000
	21 NCAC 56 .0602 <i>Application Procedure: Individual</i>		None	August 1, 2000

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N C BOARD OF EXAMINERS OF ENGINEERS AND SURVEYORS	21 NCAC 56 .0606 <i>Expirations and Renewals of Certificates</i>		None	August 1, 2000
	21 NCAC 56 .0701 <i>Rules of Professional Conduct</i>	Standards	None	August 1, 2000
	21 NCAC 56 .0702 <i>Rules of Conduct of Advertising</i>		None	August 1, 2000
	21 NCAC 56 .0802 <i>Procedure</i>		None	August 1, 2000
	21 NCAC 56 .0902 <i>Titles of Business Entities</i>		None	August 1, 2000
	21 NCAC 56 .1001 <i>General</i>	Temporary permit	None	August 1, 2000
	21 NCAC 56 .1003 <i>Seal</i>		None	August 1, 2000
	21 NCAC 56 .1101 <i>General</i>	Seal	None	August 1, 2000
	21 NCAC 56 .1102 <i>Design</i>		None	August 1, 2000
	21 NCAC 56 .1103 <i>Standard Certification Requirements</i>		None	August 1, 2000
	21 NCAC 56 .1104 <i>Certification with Temporary Permit</i>		None	August 1, 2000
	21 NCAC 56 .1105 <i>Firm Seal</i>		None	August 1, 2000
	21 NCAC 56 .1106 <i>Certification of Standard Design</i>		None	August 1, 2000
	21 NCAC 56 .1201 <i>Petitions</i>	Rulemaking procedures	None	August 1, 2000
	21 NCAC 56 .1203 <i>Hearings</i>		None	August 1, 2000
	21 NCAC 56 .1301 <i>Improper Practice by a Licensee</i>	General	None	August 1, 2000
	21 NCAC 56 .1302 <i>Unlawful Practice by an Unlicensed Person</i>		None	August 1, 2000

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N C BOARD OF EXAMINERS OF ENGINEERS AND SURVEYORS	21 NCAC 56 .1409 <i>Conduct of Contested Case</i>		None	August 1, 2000
	21 NCAC 56 .1501 <i>General</i>	Fees	None	August 1, 2000
	21 NCAC 56 .1601 <i>General</i>	Standards	None	August 1, 2000
	21 NCAC 56 .1602 <i>Surveying Procedures</i>		None	August 1, 2000
	21 NCAC 56 .1603 <i>Classification of Boundary Surveys</i>		None	August 1, 2000
	21 NCAC 56 .1604 <i>Mapping Requirements</i>		None	August 1, 2000
	21 NCAC 56 .1605 <i>Classification of Topographic</i>		None	August 1, 2000
	21 NCAC 56 .1606 <i>Specifications for Topographic Surveys</i>		None	August 1, 2000
	21 NCAC 56 .1607 <i>Global Positioning System Surveys</i>		None	August 1, 2000
	21 NCAC 56 .1608 <i>Classification/Land Information System</i>		None	August 1, 2000
	21 NCAC 56 .1609 <i>Minimum Photogrammetric Production Standards</i>		None	August 1, 2000
	21 NCAC 56 .1701 <i>Introduction</i>	Renewal	None	August 1, 2000
	21 NCAC 56 .1702 <i>Definitions</i>		None	August 1, 2000
	21 NCAC 56 .1703 <i>Requirements</i>		None	August 1, 2000
	21 NCAC 56 .1704 <i>Units</i>		None	August 1, 2000
	21 NCAC 56 .1705 <i>Determination of Credit</i>		None	August 1, 2000
21 NCAC 56 .1706 <i>Recordkeeping</i>		None	August 1, 2000	

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N C BOARD OF EXAMINERS OF ENGINEERS AND SURVEYORS	21 NCAC 56 .1707 <i>Exemptions</i>		None	August 1, 2000
	21 NCAC 56 .1708 <i>Reinstatement</i>		None	August 1, 2000
	21 NCAC 56 .1709 <i>Comity-Out-of-Jurisdiction Resident</i>		None	August 1, 2000
APPRAISAL BOARD	21 NCAC 57A .0305 <i>Confidentiality of Examinations</i>		None	April 1, 1999
REAL ESTATE COMMISSION, BOARD OF	21 NCAC 58A .0101 <i>Proof of Licensure</i>	General Brokerage	None	October 1, 2000
	21 NCAC 58A .0104 <i>Agency Agreements and Disclosures</i>		None	October 1, 2000
	21 NCAC 58A .0105 <i>Advertising</i>		None	October 1, 2000
	21 NCAC 58A .0106 <i>Delivery of Instruments</i>		None	October 1, 2000
	21 NCAC 58A .0107 <i>Handling and Accounting of Funds</i>		None	July 1, 2000
	21 NCAC 58A .0109 <i>Brokerage Fees and Compensation</i>		None	July 1, 2000
	21 NCAC 58A .0110 <i>Broker-in-Charge</i>		None	October 1, 2000
	21 NCAC 58A .0111 <i>Drafting Legal Instruments</i>		None	October 1, 2000
	21 NCAC 58A .0112 <i>Offers and Sales Contracts</i>		None	October 1, 2000
	21 NCAC 58A .0113 <i>Reporting Criminal Convictions</i>		None	July 1, 2000
	21 NCAC 58A .0114 <i>Residential Property Disclosure Statement</i>		None	July 1, 2000
	21 NCAC 58A .0301 <i>Form</i>	Forms	None	July 1, 2000
	21 NCAC 58A .0302 <i>Filing and Fees</i>		None	October 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
REAL ESTATE COMMISSION, BOARD OF	21 NCAC 58A .0303 <i>Payment of Application Fees</i>		None	July 1, 2000
	21 NCAC 58A .0304 <i>Experience Qualifications for Applicants</i>		None	October 1, 2000
	21 NCAC 58A .0401 <i>Time and Place for Examinations</i>	Examinations	None	October 1, 2000
	21 NCAC 58A .0402 <i>Subject Matter and Passing Scores</i>		None	July 1, 2000
	21 NCAC 58A .0403 <i>Re-Applying for Examination</i>		None	October 1, 2000
	21 NCAC 58A .0404 <i>Cheating and Related Misconduct</i>		None	July 1, 2000
	21 NCAC 58A .0406 <i>Examination Review</i>		None	October 1, 2000
	21 NCAC 58A .0501 <i>Character</i>	Licensure	None	October 1, 2000
	21 NCAC 58A .0502 <i>Business Entities</i>		None	October 1, 2000
	21 NCAC 58A .0503 <i>License Renewal</i>		None	July 1, 2000
	21 NCAC 58A .0504 <i>Active and Inactive License Status</i>		None	October 1, 2000
	21 NCAC 58A .0505 <i>Reinstatement of Expired License</i>		None	July 1, 2000
	21 NCAC 58A .0506 <i>Salesperson to be Supervised by Broker</i>		None	October 1, 2000
	21 NCAC 58A .0510 <i>Cancellation of Salesperson License</i>		None	October 1, 2000
	21 NCAC 58A .0601 <i>Complaints/Inquiries/Motions</i>	Complaints	None	July 1, 2000
	21 NCAC 58A .0610 <i>Subpoenas</i>		None	October 1, 2000
	21 NCAC 58A .0612 <i>Presiding Officer</i>		None	October 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
REAL ESTATE COMMISSION, BOARD OF	21 NCAC 58A .0615 <i>Settlements</i>		None	July 1, 2000
	21 NCAC 58A .0902 <i>Requests for Rulings</i>		None	October 1, 2000
	21 NCAC 58A .1402 <i>Multiple Claims</i>	Claims	None	July 1, 2000
	21 NCAC 58A .1701 <i>Purpose and Applicability</i>	Continuing Education	None	October 1, 2000
	21 NCAC 58A .1702 <i>Continuing Education Requirement</i>		None	October 1, 2000
	21 NCAC 58A .1703 <i>Continuing Education for License Activation</i>		None	July 1, 2000
	21 NCAC 58A .1708 <i>Equivalent Credit</i>		None	July 1, 2000
	21 NCAC 58A .1709 <i>Extension of Time</i>		None	October 1, 2000
	21 NCAC 58A .1711 <i>Continuing Education Required</i>		None	October 1, 2000
	21 NCAC 58B .0101 <i>Application for Registration</i>	Registration	None	July 1, 2000
	21 NCAC 58B .0102 <i>Registration Fee</i>		None	July 1, 2000
	21 NCAC 58B .0104 <i>Amendments to Time Share</i>		None	October 1, 2000
	21 NCAC 58B .0201 <i>General Provisions</i>	General	None	October 1, 2000
	21 NCAC 58B .0202 <i>Public Offering Statement</i>		None	October 1, 2000
	21 NCAC 58B .0203 <i>Receipt for Public Offering Statement</i>		None	October 1, 2000
	21 NCAC 58B .0301 <i>Proof of Cancellation</i>	Cancellation	None	October 1, 2000
21 NCAC 58B .0401 <i>Retention of Time Share Records</i>		None	October 1, 2000	

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
REAL ESTATE COMMISSION, BOARD OF	21 NCAC 58B .0501 <i>Time Share Trust Funds</i>		None	October 1, 2000
	21 NCAC 58B .0602 <i>Duties of the Project Broker</i>		None	October 1, 2000
	21 NCAC 58C .0105 <i>Withdrawal or Denial of Approval</i>		None	July 1, 2000
	21 NCAC 58C .0106 <i>Program Changes</i>		None	July 1, 2000
	21 NCAC 58C .0107 <i>Use of Examination Performance Data</i>		None	July 1, 2000
	21 NCAC 58C .0108 <i>Student Evaluations of Instructor Performance</i>		None	July 1, 2000
	21 NCAC 58C .0207 <i>Facilities and Equipment</i>	Schools	None	July 1, 2000
	21 NCAC 58C .0213 <i>Performance Bond</i>		None	July 1, 2000
	21 NCAC 58C .0214 <i>Advertising and Recruitment Activities</i>		None	July 1, 2000
	21 NCAC 58C .0217 <i>License Renewal and Fees</i>		None	July 1, 2000
	21 NCAC 58C .0218 <i>License Exam Confidentiality</i>		None	July 1, 2000
	21 NCAC 58C .0220 <i>Student Evaluations</i>		None	July 1, 2000
	21 NCAC 58C .0302 <i>Program Structuring</i>	Programs	None	October 1, 2000
	21 NCAC 58C .0304 <i>Course Completion Standards</i>		None	July 1, 2000
	21 NCAC 58C .0305 <i>Course Scheduling</i>		None	October 1, 2000
	21 NCAC 58C .0306 <i>Textbooks</i>		None	October 1, 2000
	21 NCAC 58C .0307 <i>Real Estate Instructors</i>		None	October 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
REAL ESTATE COMMISSION, BOARD OF	21 NCAC 58C .0310 <i>Course Records</i>		None	October 1, 2000
	21 NCAC 58C .0312 <i>Exception for Persons with Disabilities</i>		None	July 1, 2000
	21 NCAC 58C .0601 <i>Purpose and Applicability</i>	Pre-Licensing Instructors	None	October 1, 2000
	21 NCAC 58C .0602 <i>Nature and Scope of Instructor Approval</i>		None	October 1, 2000
	21 NCAC 58C .0603 <i>Application and Criteria</i>		None	October 1, 2000
	21 NCAC 58C .0604 <i>Instructor Performance</i>		None	October 1, 2000
	21 NCAC 58C .0605 <i>Requests for Examinations and Videotapes</i>		None	October 1, 2000
	21 NCAC 58C .0606 <i>Broker Course Reports</i>		None	October 1, 2000
	21 NCAC 58C .0607 <i>Expiration and Renewal</i>		None	October 1, 2000
	21 NCAC 58C .0608 <i>Denial or Withdrawal of Approval</i>		None	October 1, 2000
	21 NCAC 58E .0102 <i>Update Course Component</i>	Requirements	None	July 1, 2000
	21 NCAC 58E .0202 <i>Nature and Scope of Approval</i>	Update courses	None	July 1, 2000
	21 NCAC 58E .0204 <i>Renewal of Approval</i>		None	July 1, 2000
	21 NCAC 58E .0205 <i>Denial or Withdrawal of Approval</i>		None	July 1, 2000
	21 NCAC 58E .0302 <i>Elective Course Component</i>	Electives	None	October 1, 2000
	21 NCAC 58E .0304 <i>Criteria for Elective Course Approval</i>		None	July 1, 2000
	21 NCAC 58E .0310 <i>Distance Education Courses</i>		None	July 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
REAL ESTATE COMMISSION, BOARD OF	21 NCAC 58E .0406	Course sponsors	None	October 1, 2000
	<i>Course Completion Reporting</i>			
	21 NCAC 58E .0412		None	July 1, 2000
	<i>Denial or Withdrawal of Approval</i>			
	21 NCAC 58E .0511		None	October 1, 2000
N C BOARD OF REFRIGERATION EXAMINERS	<i>Student Participation Standards</i>			
	21 NCAC 58E .0515		None	July 1, 2000
	<i>Accommodations for Persons with Disabilities</i>			
	21 NCAC 60 .0102	General	None	July 1, 2000
	<i>Office of Board</i>			
N C SOCIAL WORK CERTIFICATION AND LICENSURE	21 NCAC 60 .0207	Exams	None	July 1, 2000
	<i>Requirements for Examination Applicants</i>			
	21 NCAC 60 .0311	Permits	None	July 1, 2000
	<i>Permits</i>			
	21 NCAC 60 .0316		None	July 1, 2000
	<i>Change of Address</i>			
	21 NCAC 60 .1102	Refrigeration contractors	None	July 1, 2000
	<i>Preferring Charges</i>			
	21 NCAC 63 .0102		None	July 1, 2000
	<i>Definitions</i>			
	21 NCAC 63 .0103		None	July 1, 2000
	<i>Prohibitions</i>			
	21 NCAC 63 .0201	Certification	None	July 1, 2000
<i>Definitions</i>				
21 NCAC 63 .0202		None	July 1, 2000	
<i>Application Process</i>				
21 NCAC 63 .0205		None	July 1, 2000	
<i>Academic Qualifications</i>				
21 NCAC 63 .0206		None	July 1, 2000	
<i>Academic Exemptions</i>				
21 NCAC 63 .0207		None	July 1, 2000	
<i>Comity</i>				
21 NCAC 63 .0208		None	July 1, 2000	
<i>Application Fee</i>				

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date	
N C SOCIAL WORK CERTIFICATION AND LICENSURE	21 NCAC 63 .0209 <i>Eligibility</i>		None	July 1, 2000	
	21 NCAC 63 .0211 <i>Work Experience</i>		None	July 1, 2000	
	21 NCAC 63 .0212 <i>Duplicate License or Certificates</i>		None	July 1, 2000	
	21 NCAC 63 .0213 <i>Temporary Licenses</i>		None	July 1, 2000	
	21 NCAC 63 .0302 <i>Reporting of Scores</i>		None	July 1, 2000	
	21 NCAC 63 .0303 <i>Retaking of Examination</i>		None	July 1, 2000	
	21 NCAC 63 .0304 <i>Cancellation</i>		None	July 1, 2000	
	21 NCAC 63 .0305 <i>Review of Examinations</i>		None	July 1, 2000	
	21 NCAC 63 .0306 <i>Examination Fees</i>		None	July 1, 2000	
	21 NCAC 63 .0402 <i>Forms</i>		None	July 1, 2000	
	21 NCAC 63 .0403 <i>Renewal Fees</i>		None	July 1, 2000	
	21 NCAC 63 .0404 <i>Reinstatement</i>		None	July 1, 2000	
	21 NCAC 63 .0501 <i>Purpose and Scope</i>		Ethical guidelines	None	July 1, 2000
	21 NCAC 63 .0509 <i>Public Statements</i>			None	July 1, 2000
	21 NCAC 63 .0602 <i>Investigation</i>			None	July 1, 2000
21 NCAC 63 .0603 <i>Notice of Charges and Hearings</i>		None	July 1, 2000		
21 NCAC 63 .0604 <i>Location of Hearing</i>		None	July 1, 2000		

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date	
N C SOCIAL WORK CERTIFICATION AND LICENSURE	21 NCAC 63 .0607		None	July 1, 2000	
	<i>Conduct of Hearing</i>		None	July 1, 2000	
	21 NCAC 63 .0609		None	July 1, 2000	
	<i>Reporting of Disciplinary Actions</i>		None	July 1, 2000	
	21 NCAC 63 .0701		Adoption of rules	None	July 1, 2000
	<i>Petitions for Adoption of Rules</i>		None	July 1, 2000	
	21 NCAC 63 .0703		None	July 1, 2000	
	<i>Temporary Rules</i>		None	July 1, 2000	
	21 NCAC 63 .0704		None	July 1, 2000	
	<i>Declaratory Rulings</i>		None	July 1, 2000	
	21 NCAC 63 .0801		Disciplinary procedures	None	July 1, 2000
	<i>Reporting Complaints</i>		None	July 1, 2000	
	21 NCAC 63 .0802		None	July 1, 2000	
	<i>Confidentiality</i>		None	July 1, 2000	
	21 NCAC 63 .0803		None	July 1, 2000	
	<i>Investigation</i>		None	July 1, 2000	
	21 NCAC 63 .0804		None	July 1, 2000	
<i>Notice of Hearing and Charges</i>		None	July 1, 2000		
21 NCAC 63 .0805		None	July 1, 2000		
<i>Informal Conference</i>		None	July 1, 2000		
21 NCAC 63 .0806		None	July 1, 2000		
<i>Hearings</i>		None	July 1, 2000		
21 NCAC 63 .0807		None	July 1, 2000		
<i>Decision of the Board</i>		None	July 1, 2000		
21 NCAC 63 .0808		None	July 1, 2000		
<i>Summary Suspension</i>		None	July 1, 2000		
21 NCAC 63 .0809		None	July 1, 2000		
<i>The Public Record</i>		None	July 1, 2000		
21 NCAC 63 .0820		None	July 1, 2000		
<i>Disciplinary Actions</i>		None	July 1, 2000		
N C SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION	21 NCAC 68 .0101	General	None	August 1, 2000	
	<i>Definitions</i>		None	August 1, 2000	
	21 NCAC 68 .0203	Certification	None	August 1, 2000	
	<i>Certification as Substance Abuse Counselor Intern</i>				

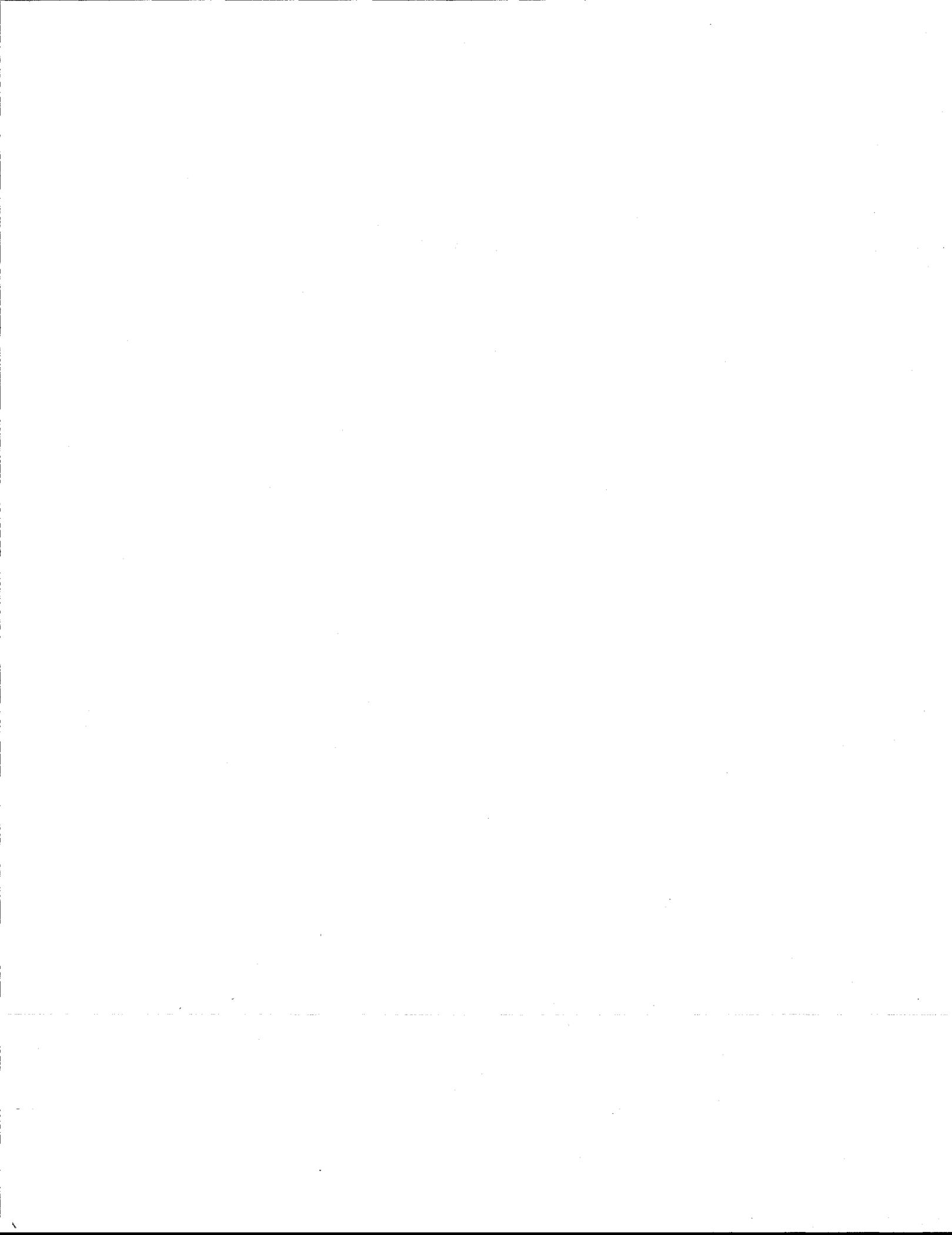
AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
N C SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION	21 NCAC 68 .0205 <i>Certified Substance Abuse Counselor</i>		None	August 1, 2000
	21 NCAC 68 .0206 <i>Process for Prevention Consultant Certification</i>		None	August 1, 2000
	21 NCAC 68 .0208 <i>Continuing Education Required for Counselor</i>		None	August 1, 2000
	21 NCAC 68 .0209 <i>Reciprocity</i>		None	August 1, 2000
	21 NCAC 68 .0211 <i>Process for Cinical Supervisor Certification</i>		None	August 1, 2000
	21 NCAC 68 .0212 <i>Process for Residential Facility Director</i>		None	August 1, 2000
	21 NCAC 68 .0213 <i>Continuing Education Approval Policy</i>		None	August 1, 2000
	21 NCAC 68 .0503 <i>Competence</i>	Ethical principles of conduct	None	August 1, 2000
	21 NCAC 68 .0503 <i>Competence</i>	Competence	None	August 1, 2000
	21 NCAC 68 .0507 <i>Client Welfare</i>		None	August 1, 2000
	21 NCAC 68 .0509 <i>Client Relationships</i>		None	August 1, 2000
	21 NCAC 68 .0511 <i>Remuneration</i>		None	August 1, 2000
	21 NCAC 68 .0601 <i>Grounds for Professional Discipline</i>	Grounds for discipline	None	August 1, 2000
	21 NCAC 68 .0701 <i>Hearing Before Board</i>	Appeals process	None	August 1, 2000
21 NCAC 68 .0706 <i>Who Shall Hear Contested Cases</i>	Administrative hearings	None	August 1, 2000	
N C STATE BOARD OF COMMUNITY COLLEGES				
	23 NCAC 2B .0104 <i>Mission of the Community College System</i>	Mission	None	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
	23 NCAC 2C .0503 <i>Donated Property</i>	Property	None	August 1, 2000
	23 NCAC 2C .0504 <i>Acquisition of Equipment</i>		None	August 1, 2000
	23 NCAC 2C .0505 <i>Noncertified Source Purchases</i>		None	August 1, 2000
	23 NCAC 2D .0323 <i>Reporting of Student Hours</i>	Reporting	None	August 1, 2000
	23 NCAC 2D .0324 <i>Reporting of Student Hours</i>	Regularly scheduled classes	None	August 1, 2000
N C HOUSING FINANCE AGENCY				
	24 NCAC 1H .0103 <i>Persons and Families of Moderate Income</i>	General information	None	August 1, 2000
DEPARTMENT OF ADMINISTRATION				
STATE PERSONNEL COMMISSION	25 NCAC 1B .0414 <i>Situations in Which Attorney's Fees Awarded</i>	Regulations	None	August 1, 2000
	25 NCAC 1B .0434 <i>Discrimination</i>		None	August 1, 2000
	25 NCAC 1B .0437 <i>Appeal to the State Personnel Commission</i>		None	August 1, 2000
	25 NCAC 1C .0214 <i>Unlawful Workplace Harassment</i>	Harassment	None	August 1, 2000
	25 NCAC 1H .0602 <i>Posting and Announcement of Vacancies</i>	Vacancies	None	August 1, 2000
	25 NCAC 1H .0605 <i>Special Applicant Considerations</i>		None	August 1, 2000
	25 NCAC 1H .0606 <i>Selection of Applicants</i>		None	August 1, 2000
	25 NCAC 1J .0503 <i>Minimum Procedural Requirements</i>	Requirements	None	August 1, 2000
	25 NCAC 1J .0506 <i>Discrimination</i>		None	August 1, 2000
	25 NCAC 1J .0603 <i>Appeals</i>	Appeals	None	August 1, 2000

AGENCY	RULE #/TITLE	Subject	Fiscal Impact	Proposed Effective Date
STATE PERSONNEL COMMISSION	25 NCAC 1J .0603 <i>Appeals</i>		None	August 1, 2000
OFFICE OF ADMINISTRATIVE HEARINGS				
	26 NCAC 1 .0101 <i>Location</i>	General	None	August 1, 2000
	26 NCAC 1 .0103 <i>Cost for Copies</i>	Copies	State	August 1, 2000
	26 NCAC 2C .0103 <i>Original and Duplicate Copy</i>	General	None	August 1, 2000
	26 NCAC 2C .0105 <i>Electronic Version</i>		None	August 1, 2000
	26 NCAC 2C .0108 <i>General Format Instructions</i>	General	Local	August 1, 2000
	26 NCAC 2C .0303 <i>Availability of the North Carolina Register</i>	N C Register	State	August 1, 2000
	26 NCAC 2C .0306 <i>Publication of Notice of Text</i>		None	August 1, 2000
	26 NCAC 2C .0403 <i>Submission for Permanent Rule Form</i>	N C Administrative Code	None	August 1, 2000
	26 NCAC 3 .0101 <i>General</i>	Hearings division	None	August 1, 2000
	26 NCAC 3 .0119 <i>Secure Leave Periods for Attorneys</i>		None	August 1, 2000

EXHIBIT D

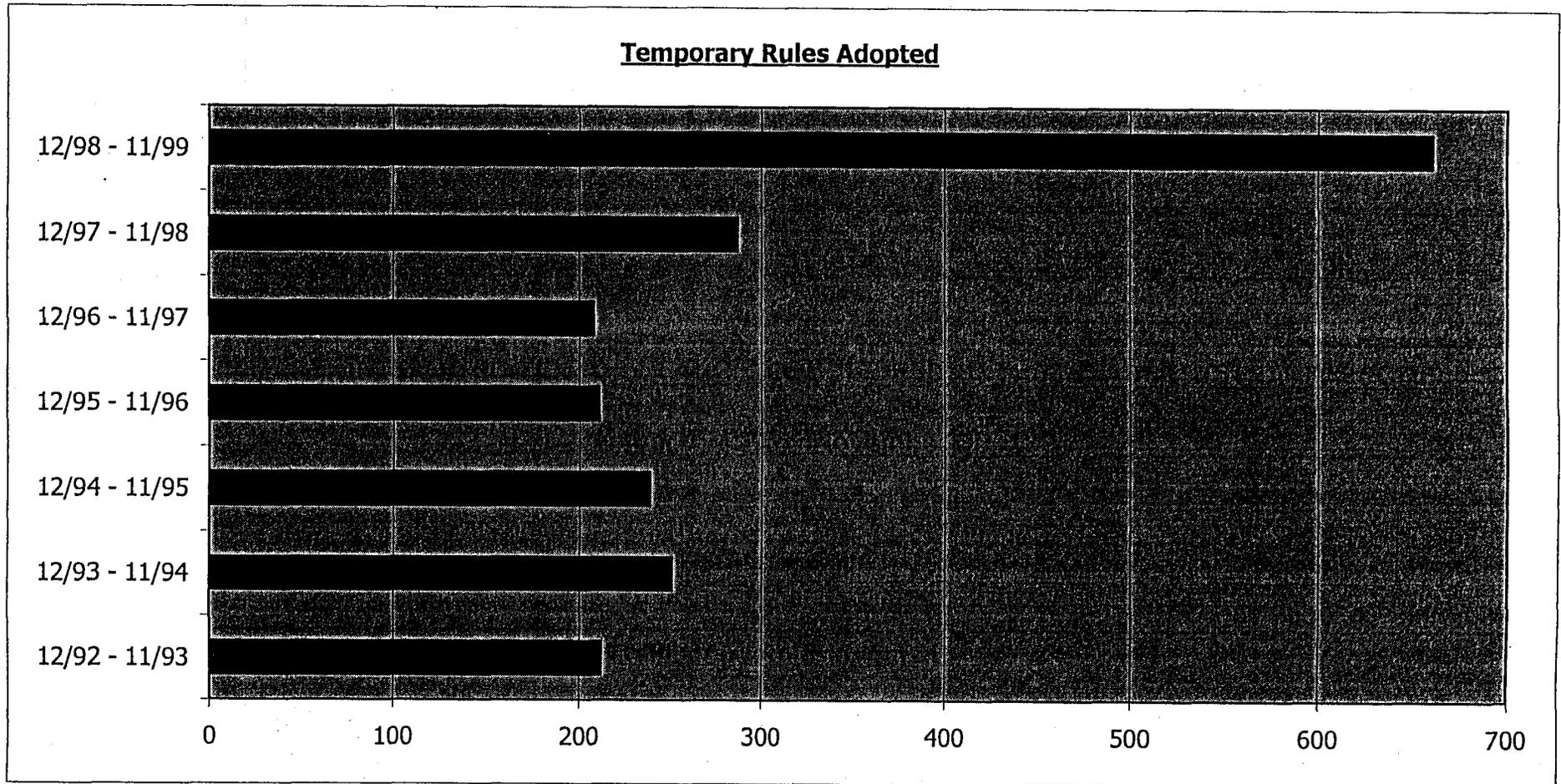
- Temporary Rules Chart – 12/92 – 11/99
- Temporary Rule-making Provisions by Agency
- Types of Temporary Rule-making Exceptions

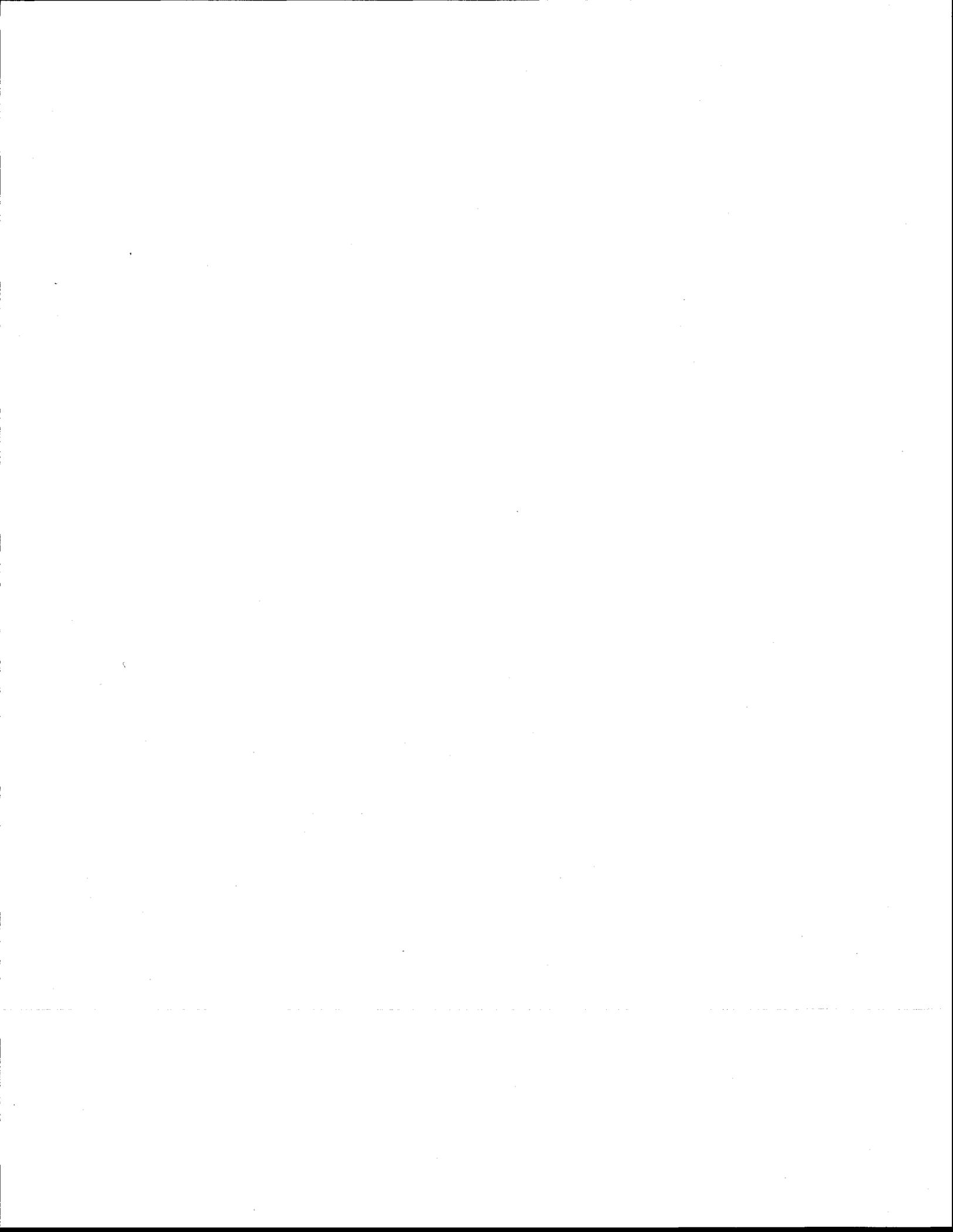


SUMMARY OF ADOPTED TEMPORARY RULES PUBLISHED IN THE NC ADMINISTRATIVE CODE

December 1, 1992 - November 30, 1999

Year	12/92 - 11/93	12/93 - 11/94	12/94 - 11/95	12/95 - 11/96	12/96 - 11/97	12/97 - 11/98	12/98 - 11/99
Temporary Rules Adopted	212	251	239	211	208	287	661





TEMPORARY RULE-MAKING PROVISIONS LIST
(Bold type indicates the provision is still in effect.)

AGENCY	SUBJECT	PAGE
ESSENTIAL PERIOD OF TIME DURING WHICH AN AGENCY CAN ADOPT A TEMPORARY RULE		
DENR/Environmental Management Commission	Dry-cleaning solvent contamination clean-up	10
DENR/Environmental Management Commission	Leaking underground storage tank clean-up	12
DENR/Well Contractors Certification Commission	Rules governing the certification of well contractors	12
DENR/Environmental Management Commission	Closure of low-risk leaking underground storage tanks	13
DENR/Environmental Management Commission	Neuse River nutrient sensitive waters management strategy	14-15
DENR/Sedimentation Control Commission	Neuse River nutrient sensitive waters management strategy	14-15
DHHS/Commission for Health Services	Rules regarding coffee pots and ice buckets in lodging establishments	19
INDEFINITE PERIOD OF TIME DURING WHICH AN AGENCY CAN ADOPT TEMPORARY RULES		
Department of Administration	Driver's education certificates – non-public schools	8
DENR/Marine Fisheries Commission	Fisheries Reform Act	10
DENR/Marine Fisheries Commission	Marine fisheries law revisions	16
DHHS/Secretary	Long-term care	20
DPI/State Board of Education	Driver's education certificates	20
Various agencies	Hurricane Floyd	21
TEMPORARY RULES MAY REMAIN IN EFFECT LONGER THAN 270 DAYS		
DENR/Environmental Management Commission	Underground storage tanks	8
Various agencies	Hurricane Floyd	21
ADDITIONAL BASES FOR ADOPTING TEMPORARY RULES		
DENR/Marine Fisheries Commission	Crab pots for noncommercial purposes	9
DENR/Marine Fisheries Commission	Recreational bag and size limits for certain fish	9
DENR/Marine Fisheries Commission	Fishery management plans – Atlantic States Marine Fisheries Commission	10
DENR/Wildlife Resources Commission	Rules responding to rabies outbreaks	11
DENR/Marine Fisheries Appeals Panel	Operation of the Panel	14
DENR/Environmental Management Commission	Establishment of maximum loads or concentration limits for nitrogen and phosphorous discharges	14
DENR/Coastal Resources Commission	Coastal energy facilities (until July 1, 2005)	16
DENR Environmental Management Commission	Basinwide water quality management plans for Cape Fear, Catawba, and Tar-Pamlico river basins (until July 1, 2001)	17

AGENCY**SUBJECT****PAGE**

DHHS/Medicaid	Medicaid estate recovery	17
DHHS/Medicaid	Maximization of federal funds, reduce expenditures, reduce fraud and abuse	17
DHHS	Changes to the Work First Program (if required by federal law)	18
DHHS/Health Services Commission	Newborn hearing screening	18
DHHS	Provider sponsored organization licensing for Medicare	19
Various agencies	Hurricane Floyd	21

TYPES OF TEMPORARY RULE-MAKING EXCEPTIONS

Extended Period of Time During Which an Agency Can Adopt a Temporary Rule to Implement a "Recent Act of the General Assembly"

The term "recent act" is not defined in the APA. The Office of Administrative Hearings has adopted an administrative rule (25 NCAC 2C .0102) defining "recent act" as 180 days from the effective date of the act."

- Gives agencies longer than 180 days to adopt a temporary rule based on a recent act of the General Assembly.
- Contains a sunset date.

Example: The "agency" may adopt temporary rules to implement this act until July 1, 2001. This act is effective July 1, 2000.

- # of Provisions Enacted 1995 – 1999: 7
- # of Provisions Still in Effect: 0

Indefinite Period of Time During Which an Agency Can Adopt a Temporary Rule to Implement a "Recent Act of the General Assembly"

- Gives the agency an indefinite period of time during which to adopt temporary rules to implement a recent act of the General Assembly.

Example: The "agency" may adopt temporary rules to implement this act. This section shall continue in effect until all rules necessary to implement this act have become effective as either temporary or permanent rules.

- # of Provisions Enacted 1995 – 1999: 6
- # of Provisions Still in Effect: 6

Temporary Rules May Remain in Effect Longer Than 270 Days

- Allows temporary rules adopted by agencies to remain in effect longer than 270 days.

Example: Notwithstanding G.S. 150B-21.1(d), temporary rules adopted to implement this act may remain in effect until the "agency" adopts permanent rules.

- # of Provisions Enacted 1995 – 1999: 2
- # of Provisions Still in Effect: 2

Additional Bases for Adopting Temporary Rules

- Allows agencies to adopt temporary rules for reasons other than those in G.S. 150B-21.1(a).

Example: The "agency" may adopt temporary rules to implement G.S. XX-XXX.

- # of Provisions Enacted 1995 – 1999: 19
- # of Provisions Still in Effect: 16¹

¹ Five of these provisions are codified in G.S. 150B-21.1

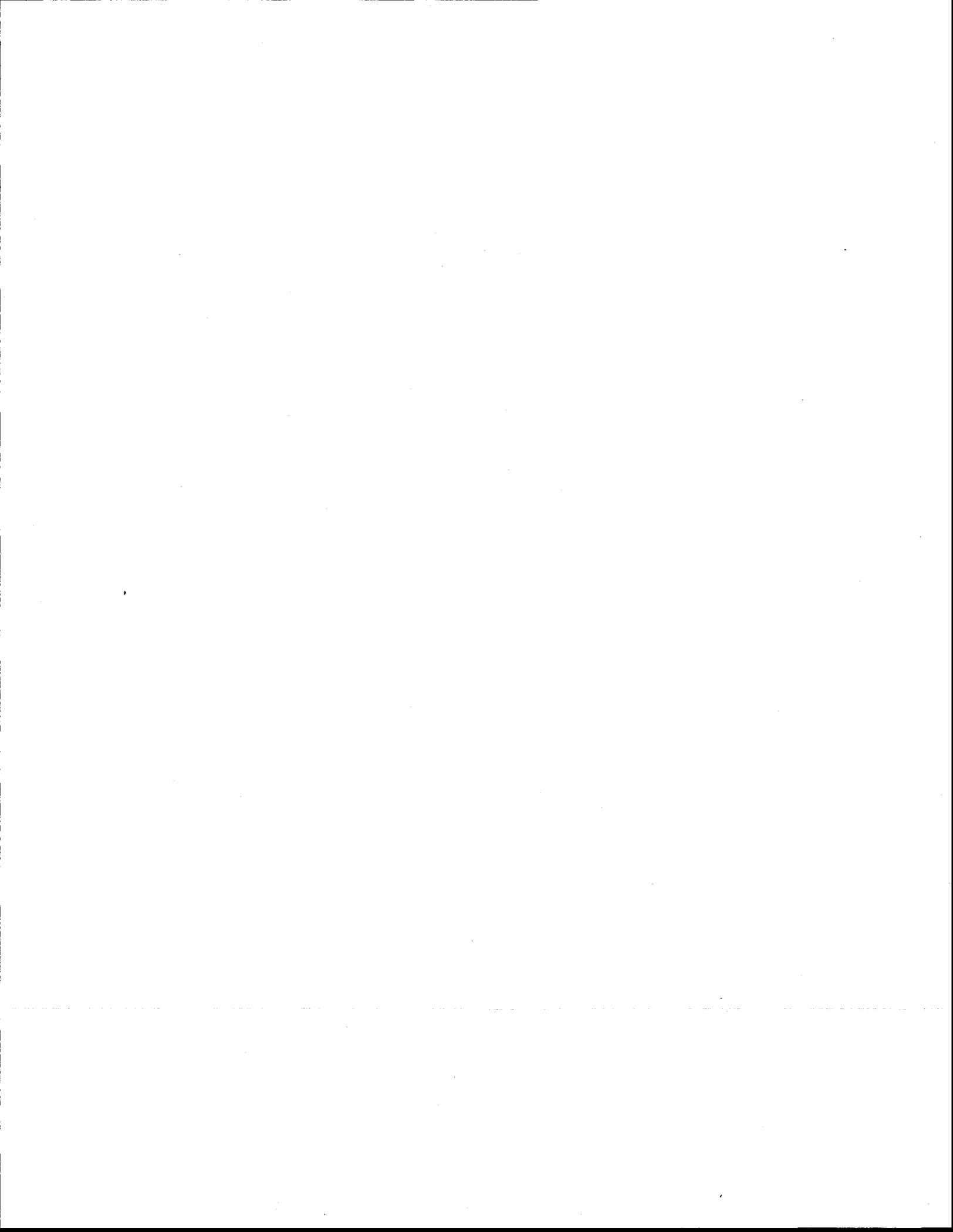
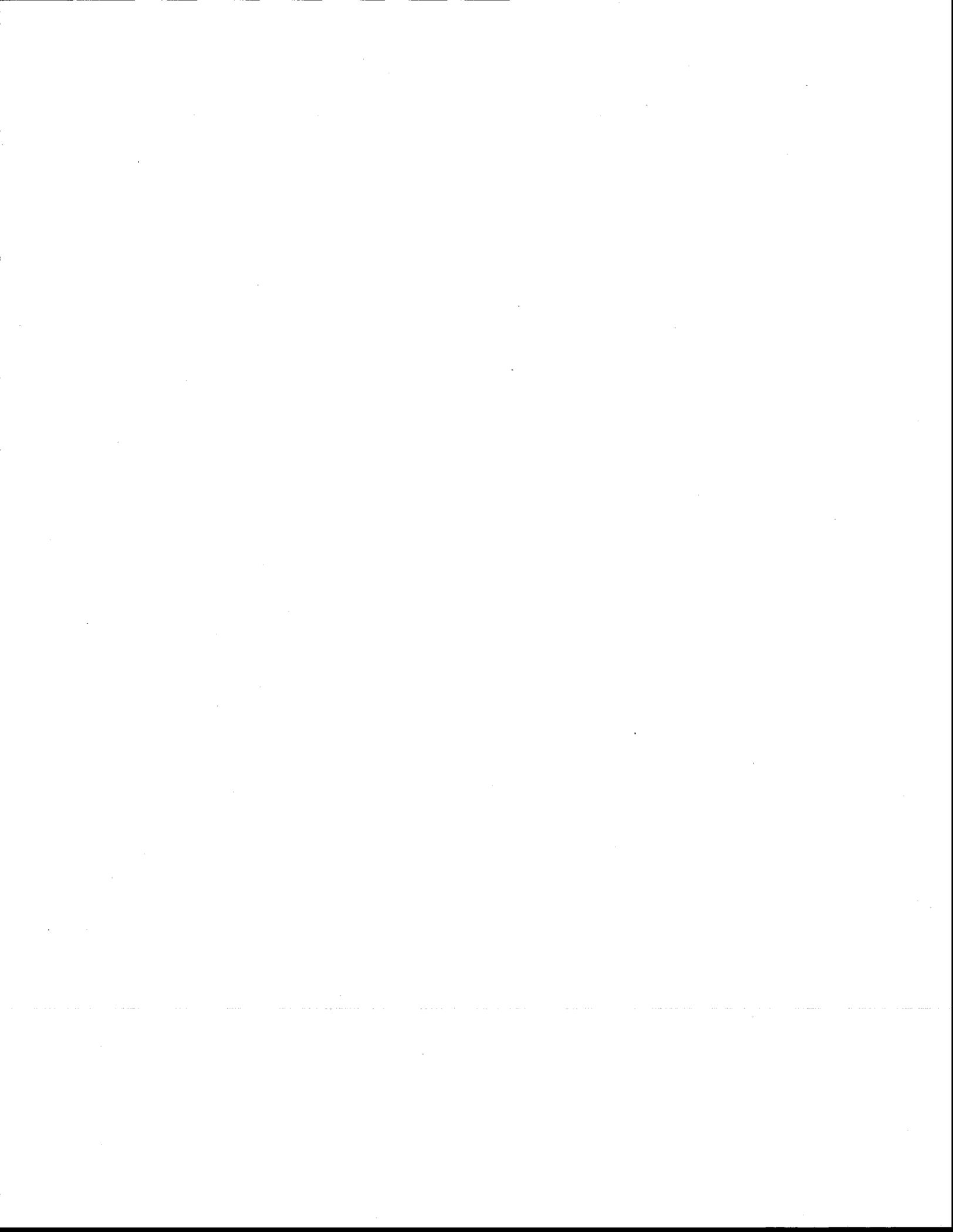


EXHIBIT E

Agency Exemptions from the APA



AGENCY EXEMPTIONS FROM THE APA
Chapter 150B of the General Statutes

AGENCY	PURPOSE OF EXEMPTION ¹	EXEMPTION FROM		
		RULE- MAKING Article 2A	CONTESTED CASES Article 3 or 3A	JUDICIAL REVIEW Article 4
DEPT. OF ADMINISTRATION	Applies to issuances of easements for lands covered by water. (GS 146-12(i))	Exempt	Exempt	Exempt
BANKING COMMISSION	Applies to the supervisory acquisition of State association. (GS 53-17.1)	Exempt	Exempt	Exempt
BUILDING CODE COUNCIL ²	State Building Code	Exempt	Exempt	Exempt
DEPT. OF CORRECTION	Rules governing matters relating solely to persons in its custody or under its supervision, including prisoners, probationers, and parolees. (GS 150B-1(d)(6) & 150B-1(e)(7))	Exempt	Exempt	Not Exempt
EDUCATION, STATE BOARD				
• ABC's Plan	Applies to rules directly implementing the ABC's plan. (GS 115C-17)	Partially Exempt ³	Not Exempt	Not Exempt
• Teacher Certification	Applies to policies establishing the minimum scores for the standard examinations and other measures necessary to assess the	Exempt	Not Exempt	Not Exempt

¹ **Boldface type indicates the exemptions that are listed in the APA (GS 150B).**

² The Building Code Council is exempt from the APA because the State Building Code is not included in the definition of a "rule" in the APA. Specifically, rules are *not* "scientific, architectural, or engineering standards, forms, or procedures, including design criteria and construction standards used to construct or maintain highways, bridges, or ferries." Therefore, rather than having a specific exemption from the APA, the State Building Code is exempted by virtue of the APA definition of a rule.

³ For implementation of the ABC's plan, the State Board of Education is *exempt* from publishing the 60-day Notice of Rule-making Proceedings; preparation of a Substantial Economic Impact Statement; delayed effective dates; and opportunity for legislative review and disapproval. The text of rules proposed by the State Board of Education implementing the ABC's plan must still be published for at least 30 days, and the Board must accept public comment and hold a public hearing. The rules must also be approved by the Rules Review Commission, and upon approval by the Commission, may go into effect 5 days after the rule is delivered to the Office of Administrative Hearings.

AGENCY	PURPOSE OF EXEMPTION	EXEMPTION FROM		
		RULE- MAKING Article 2A	CONTESTED CASES Article 3 or 3A	JUDICIAL REVIEW Article 4
	qualifications of professional personnel. (GS 115C-296)			
ELECTIONS, STATE BOARD	Applies to establishment of precinct boundaries. (GS 163-132.5B)	Exempt	Exempt	Exempt
EMPLOYMENT SECURITY COMMISSION	Applies to all rules. (GS 150B-1(c)(5))	Exempt	Exempt	Exempt
DEPT. OF ENVIRONMENT & NATURAL RESOURCES				
• Education of Handicapped	Applies to rules for compliance with the procedural safeguards of the federal Education of the Handicapped Act. (GS 150B-1(e)(1))	Not Exempt	Exempt	Not Exempt
• Marine Fisheries Commission	Applies to proclamations suspending or implementing any Commission rules that may be affected by variable conditions. (GS 113-221(a) - (e))	Exempt	Exempt	Exempt
• Sea Grant Program	Applies to criteria adopted by the Sea Grant College Program to rank proposals for fishery resource grants (GS 113-200(e))	Exempt	Not Exempt	Not Exempt
• Secretary	Applies to warning tickets issued by forest rangers and forest law-enforcement in lieu of initiation of criminal violation for violations of forest laws. (GS 113-55.2(a))	Exempt	Not Exempt	Not Exempt
GLOBAL TRANSPARK AUTHORITY	Rules and hearings governing the acquisition, construction, operation, or use, including fees or charges, of any portion of a cargo airport complex. (GS 150B-1(d)(5))	Exempt	Exempt	Not Exempt
HAZARDOUS WASTE MGMT. COMM.	Applies to rules implementing GS 130B-13, Facility construction and operation, and GS 130B-14, Technology, design capacity, and license application. (GS 150B-1(d)(3) & 150B-1(e)(4))	Exempt	Exempt	Not Exempt

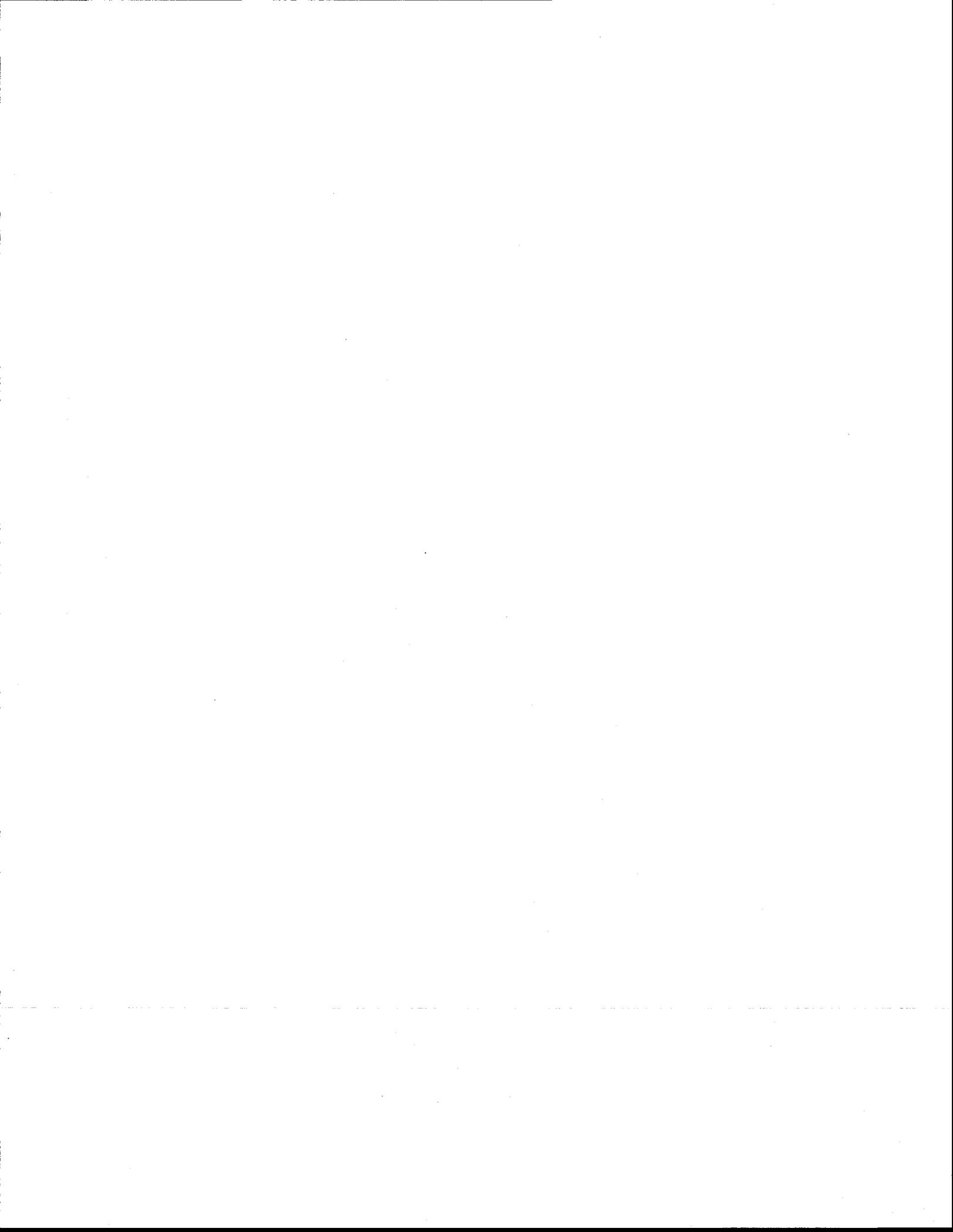
AGENCY	PURPOSE OF EXEMPTION	EXEMPTION FROM		
		RULE- MAKING <i>Article 2A</i>	CONTESTED CASES <i>Article 3 or 3A</i>	JUDICIAL REVIEW <i>Article 4</i>
DEPT. OF HEALTH & HUMAN SERVICES				
• Dept.	Applies to hearings under federal Rehabilitation Act of 1973.	Not Exempt	Exempt	Not Exempt
• Dept.	Hearings regarding violent and assaultive children. (GS 150B-1(e)(11))	Not Exempt	Exempt	Not Exempt
• Camp Butner	Applies to authority over Camp Butner. (GS 150B-1(c)(2))	Exempt	Exempt	Exempt
• Education of Handicapped	Applies to rules for compliance with the procedural safeguards of the federal Education of the Handicapped Act. (GS 150B-1(e)(1))	Not Exempt	Exempt	Not Exempt
• Commission for MH/DD/SAS	Applies to rules scheduling controlled substances that are also scheduled as controlled substances under federal regulation. (GS 90-88(d))	Exempt	Not Exempt	Not Exempt
INDUSTRIAL COMMISSION	Applies to all rules. (GS 150B-1(c)(4))	Exempt	Exempt	Exempt
DEPARTMENT OF LABOR	Rules concerning an occupational safety and health standard that are identical to the federal regulation. (GS 150B-21.5(c))	Exempt	Not Exempt	Not Exempt
LOW-LEVEL RADIOACTIVE WASTE MGMT. AUTHORITY	Applies to rules adopted to administer GS 104G-10 and GS 104G-11. (NOTE: These statutes have been repealed eff. July 1, 2000 (SL 99-357)) (GS 150B-1(d)(3) & 150B-1(e)(3))	Exempt	Exempt	Not Exempt
NC NATIONAL GUARD	Rules exercising court-martial jurisdiction. (GS 150B-1(c)(1))	Exempt	Exempt	Exempt

AGENCY	PURPOSE OF EXEMPTION	EXEMPTION FROM		
		RULE- MAKING <i>Article</i> <i>2A</i>	CONTESTED CASES <i>Article 3 or</i> <i>3A</i>	JUDICIAL REVIEW <i>Article 4</i>
OCCUPATIONAL SAFETY & HEALTH REVIEW BOARD	All hearings.	Not Exempt	Exempt	Not Exempt
DEPT. OF REVENUE	Applies to all rules. (GS 150B-1(d)(4))	Partially Exempt ⁴	Exempt	Not Exempt
RULES REVIEW COMMISSION	Applies to all rules. (GS 150B-(d)(1))	Exempt	Not Exempt	Not Exempt
STATE AGENCIES -- SWORN LAW ENFORCEMENT OFFICERS	Rules and procedures established by the head of each principal State department governing the selection and retention of sworn law enforcement officers. (GS 143-166.40(b))	Exempt	Exempt	Exempt
TOBACCO RESEARCH COMM.	All rules/policies adopted by the Commission. (GS 106-568.8)	Exempt	Exempt	Exempt
TEACHERS & STATE EMPLOYEES HEALTH PLAN	Rules administering the Comprehensive Major Medical Plan. (GS 150B-1(d)(7))	Exempt	Not Exempt	Not Exempt
DEPT. OF TRANSPORTATION	Applies to all hearings, except those involving adjustment and resolution of highway construction contract claims. (GS 150B-1(e)(8))	Not Exempt	Exempt	Not Exempt
UNIVERSITY OF NORTH CAROLINA	All rules and hearings.	Exempt	Exempt	Not Exempt
UTILITIES COMMISSION	Applies to all rules. (GS 150B-1(c)(3))	Exempt	Exempt	Exempt
WILDLIFE RESOURCES COMM.	Rules increasing nonresident license fees if the Commission finds that the other state has a nonresident wildlife resources fee that exceeds the fee for a comparable nonresident license in NC. (GS 113-275 (a1))	Exempt	Not Exempt	Not Exempt

⁴ The Department of Revenue is exempt from the notice and hearing requirements. The Department's rules must still be reviewed and approved by the Rules Review Commission and are subject to legislative disapproval.

EXHIBIT F

- HB 968, 2nd ed., - Bill & Summary
- Contested Case Statistics





HOUSE BILL 968: Amend Contested Case Procedure

BILL ANALYSIS

Committee: House Ways and Means
Date: April 20, 1999
Version: Proposed Committee Substitute
(H968-CSRO-003)

Introduced by: Reps. Nesbitt, Wilson,
Redwine
Summary by: Karen Cochrane Brown
Staff Attorney

SUMMARY:

The proposed committee substitute for House Bill 968 amends the Administrative Procedure Act to give administrative law judges within the Office of Administrative Hearings, final decision-making authority in contested cases, and to give both parties to a contested case the right to seek judicial review of the final administrative decision in Superior Court.

CURRENT LAW:

Under current law, administrative actions may be challenged by means of a contested case hearing. The Administrative Procedure Act (APA) sets forth the process for commencing and conducting a hearing and authorizes the Office of Administrative Hearings to assign an administrative law judge (ALJ) to hear each case. After hearing evidence, in accordance with the Rules of Evidence as applied in the trial division of the General Court of Justice, the ALJ makes a recommended decision including findings of fact and conclusions of law.

The recommended decision is then returned with the official record to the agency that made the initial decision for a final decision. The agency may adopt or reject the recommended decision. If the agency rejects the recommended decision, it must include in its final decision the specific reasons why it did not adopt the ALJ's recommended decision and the final decision must be supported by substantial evidence. Substantial evidence means relevant evidence a reasonable mind might accept as adequate to support a conclusion.

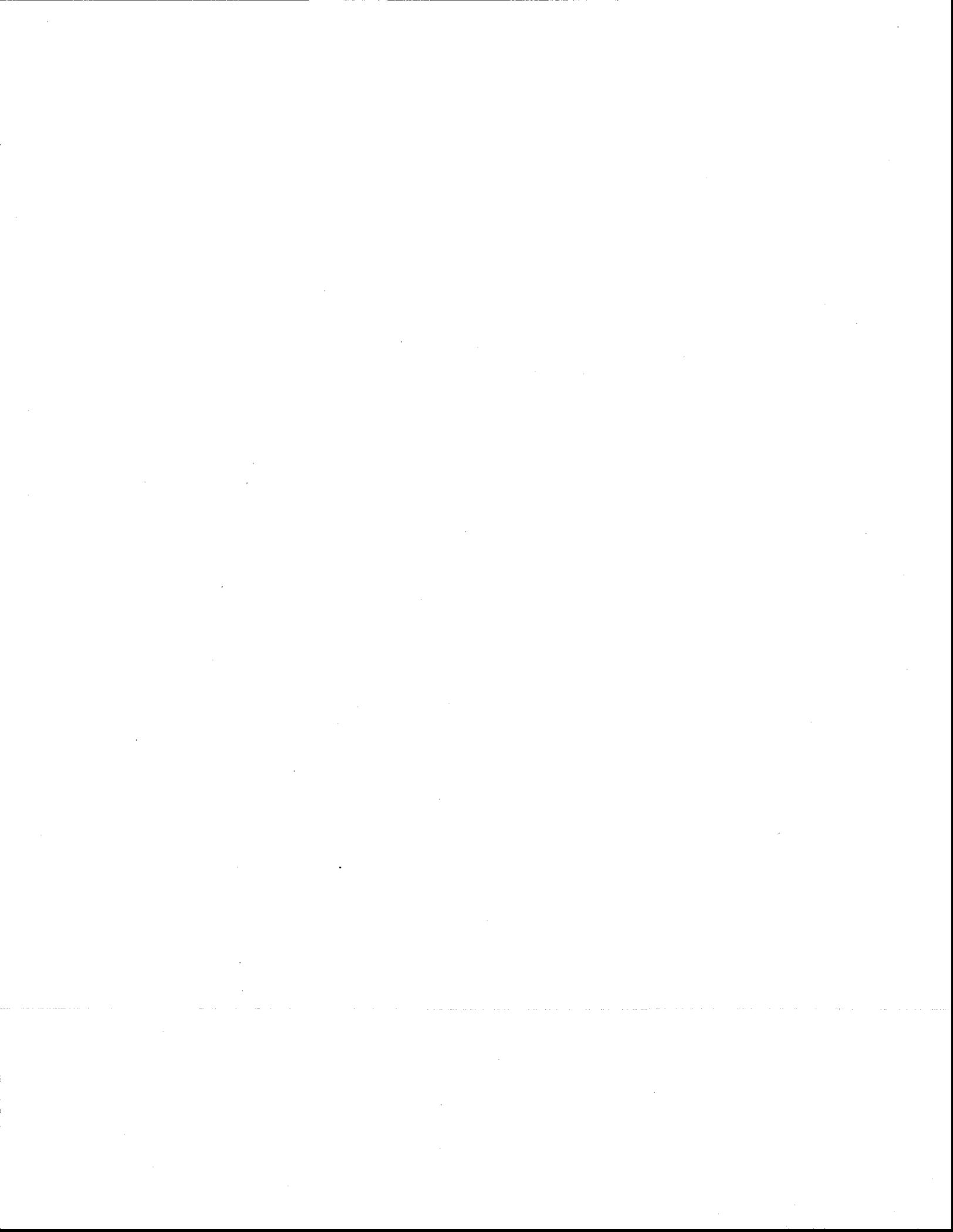
Once a final decision is made, an aggrieved person (which, by definition cannot be an agency in most cases) may seek judicial review of the final decision in Superior Court.

BILL ANALYSIS:

This bill simplifies the administrative review process by making the ALJ the final decision-maker. Contested cases will continue to be commenced and conducted as they are under present law. However, once the ALJ makes a decision, it will be the final administrative decision, rather than merely a recommendation. The bill also amends the APA to allow agencies to seek judicial review of administrative decisions by which they are aggrieved, in the same manner as now applies to petitioners.

The bill make one significant exception for cases involving Certificate of Need, under Chapter 131E. These cases will continue to be finally decided by the agency. However, the agency will be required to cite specific reasons based on evidence in the record, for not adopting the findings of fact made by the ALJ.

This act would become effective January 1, 2000, and apply to contested cases commenced on or after that date



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

H

2

HOUSE BILL 968
Committee Substitute Favorable 4/22/99

Short Title: Amend Contested Case Proc.

(Public)

Sponsors:

Referred to:

April 12, 1999

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY THE PROCEDURES CONCERNING FINAL
3 ADMINISTRATIVE DECISIONS IN CONTESTED CASES HEARD BY THE
4 OFFICE OF ADMINISTRATIVE HEARINGS.

5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 150B-2(5) reads as rewritten:

7 "(5) "Party" means any person or agency named or admitted as a party
8 or properly seeking as of right to be admitted as a party and
9 includes the agency as appropriate. ~~This subdivision does not
10 permit an agency that makes a final decision, or an officer or
11 employee of the agency, to petition for initial judicial review of
12 that decision.~~

13 Section 2. G.S. 150B-29(a) reads as rewritten:

14 "(a) In all contested cases, irrelevant, immaterial and unduly repetitious evidence
15 shall be excluded. Except as otherwise provided, the rules of evidence as applied in
16 the trial division of the General Court of Justice shall be followed; but, when
17 evidence is not reasonably available under the rules to show relevant facts, then the
18 most reliable and substantial evidence available shall be admitted. On the judge's
19 own motion, an administrative law judge may exclude evidence that is inadmissible
20 under this section. The party with the burden of proof in a contested case must
21 establish the facts required by G.S. 150B-23(a) by a preponderance of the evidence.
22 It shall not be necessary for a party or his attorney to object at the hearing to
23 evidence in order to preserve the right to object to its consideration by the

1 administrative law judge in making a recommended decision, by the agency in
2 making a final decision, or by the court on judicial review."

3 Section 3. G.S. 150B-34 reads as rewritten:

4 "§ 150B-34. Recommended Final decision or order of administrative law judge. order.

5 (a) Except as provided in ~~G.S. 150B-36(e)~~, subsection (c) of this section, in each
6 contested case the administrative law judge shall make a ~~recommended final~~ final decision
7 or order that contains findings of fact and conclusions of law.

8 (b) Repealed by Session Laws 1991, c. 35, s. 6.

9 (c) Notwithstanding subsection (a) of this section, in cases arising under Article 9
10 of Chapter 131E of the General Statutes, the administrative law judge shall make a
11 recommended decision or order that contains findings of fact and conclusions of law.
12 A final decision shall be made by the agency after review of the official record as
13 defined in G.S. 150B-37(a) and shall include findings of fact and conclusions of law.
14 The final agency decision shall recite and address all of the facts set forth in the
15 recommended decision. For each finding of fact in the recommended decision not
16 adopted by the agency, the agency shall state the specific reason, based on the
17 evidence, for not adopting the findings of fact and the agency's findings shall be
18 supported by substantial evidence admissible under G.S. 150B-29(a), 150B-30, or
19 150B-31.

20 (d) Except for the exemptions contained in G.S. 150B-1, and subsection (c) of this
21 section, the provisions of this section shall apply to all agencies subject to Article 3 of
22 this Chapter, notwithstanding any other provisions to the contrary relating to
23 recommended decisions by administrative law judges and final agency decisions."

24 Section 4. G.S. 150B-35 reads as rewritten:

25 "§ 150B-35. No ex parte communication; exceptions.

26 Unless required for disposition of an ex parte matter authorized by law, ~~neither~~
27 the administrative law judge assigned to a contested case ~~nor a member or employee~~
28 ~~of the agency making a final decision in the case~~ may not communicate, directly or
29 indirectly, in connection with any issue of fact, or question of law, with any person or
30 party or his representative, except on notice and opportunity for all parties to
31 participate."

32 Section 5. G.S. 150B-36 is repealed.

33 Section 6. G.S. 150B-37 reads as rewritten:

34 "§ 150B-37. Official record.

35 (a) In a contested case, the Office of Administrative Hearings shall prepare an
36 official record of the case that includes:

- 37 (1) Notices, pleadings, motions, and intermediate rulings;
- 38 (2) Questions and offers of proof, objections, and rulings thereon;
- 39 (3) Evidence presented;
- 40 (4) Matters officially noticed, except matters so obvious that a
41 statement of them would serve no useful purpose; and
- 42 (5) Repealed by Session Laws 1987, c. 878, s. 25.
- 43 (6) The administrative law judge's ~~recommended final~~ final decision, or
44 order.

1 (b) Proceedings at which oral evidence is presented shall be recorded, but need
2 not be transcribed unless requested by a party. Each party shall bear the cost of the
3 transcript or part thereof or copy of said transcript or part thereof which said party
4 requests, and said transcript or part thereof shall be added to the official record as an
5 exhibit.

6 (c) The Office of Administrative Hearings shall forward a copy of the official
7 record to the agency making the final decision and shall forward a copy of the
8 recommended decision to each party."

9 Section 7. G.S. 150B-44 reads as rewritten:

10 "§ 150B-44. Right to judicial intervention when decision unreasonably delayed.

11 Unreasonable delay on the part of any agency or administrative law judge in taking
12 any required action shall be justification for any person whose rights, duties, or
13 privileges are adversely affected by such delay to seek a court order compelling
14 action by the agency or administrative law judge. ~~An agency that is subject to~~
15 ~~Article 3 of this Chapter and is not a board or commission has 90 days from the day~~
16 ~~it receives the official record in a contested case from the Office of Administrative~~
17 ~~Hearings to make a final decision in the case. This time limit may be extended by~~
18 ~~the parties or, for good cause shown, by the agency for an additional period of up to~~
19 ~~90 days. An agency that is subject to Article 3 of this Chapter and is a board or~~
20 ~~commission has 90 days from the day it receives the official record in a contested case~~
21 ~~from the Office of Administrative Hearings or 90 days after its next regularly~~
22 ~~scheduled meeting, whichever is longer, to make a final decision in the case. This~~
23 ~~time limit may be extended by the parties or, for good cause shown, by the agency for~~
24 ~~an additional period of up to 90 days. If an agency subject to Article 3 of this~~
25 ~~Chapter has not made a final decision within these time limits, the agency is~~
26 ~~considered to have adopted the administrative law judge's recommended decision as~~
27 ~~the agency's final decision. Failure of an administrative law judge subject to Article~~
28 ~~3 of this Chapter or failure of an agency subject to Article 3A of this Chapter to~~
29 ~~make a final decision within 180 days of the close of the contested case hearing is~~
30 ~~justification for a person whose rights, duties, or privileges are adversely affected by~~
31 ~~the delay to seek a court order compelling action by the agency or, if the case was~~
32 ~~heard by an administrative law judge, or by the administrative law judge."~~

33 Section 8. G.S. 150B-43 reads as rewritten:

34 "§ 150B-43. Right to judicial review.

35 Any person party who is aggrieved by the final decision in a contested case, and
36 who has exhausted all administrative remedies made available to ~~him~~ the party by
37 statute or agency rule, is entitled to judicial review of the decision under this Article,
38 unless adequate procedure for judicial review is provided by another statute, in which
39 case the review shall be under such other statute. Nothing in this Chapter shall
40 prevent any person party from invoking any judicial remedy available to ~~him~~ the
41 party under the law to test the validity of any administrative action not made
42 reviewable under this Article."

43 Section 9. G.S. 150B-47 reads as rewritten:

44 "§ 150B-47. Records filed with clerk of superior court; contents of records; costs.

1 Within 30 days after receipt of the copy of the petition for review, or within such
2 additional time as the court may allow, the ~~agency that made the final decision in~~
3 ~~the contested case~~ Office of Administrative Hearings shall transmit to the reviewing
4 court the original or a certified copy of the official record in the contested case under
5 review together with: ~~(i) any exceptions, proposed findings of fact, or written~~
6 ~~arguments submitted to the agency in accordance with G.S. 150B-36(a); and (ii) the~~
7 ~~agency's final decision or order.~~ review. With the permission of the court, the record
8 may be shortened by stipulation of all parties to the review proceedings. Any party
9 unreasonably refusing to stipulate to limit the record may be taxed by the court for
10 such additional costs as may be occasioned by the refusal. The court may require or
11 permit subsequent corrections or additions to the record when deemed desirable."

12 Section 10. G.S. 150B-49 reads as rewritten:

13 "**§ 150B-49. New evidence.**

14 ~~An aggrieved person~~ A party who files a petition in the superior court may apply
15 to the court to present additional evidence. If the court is satisfied that the evidence
16 is material to the issues, is not merely cumulative, and could not reasonably have
17 been presented at the administrative hearing, the court may remand the case so that
18 additional evidence can be taken. If an administrative law judge did not make a
19 ~~recommended final~~ final decision in the case, the court shall remand the case to the
20 agency that conducted the administrative ~~hearing.~~ hearing. under Article 3A of this
21 Chapter and under G.S. 150B-34(c) of this Chapter. After hearing the evidence, the
22 agency may affirm or modify its previous findings of fact and final decision. If an
23 administrative law judge made ~~a recommended the final~~ the final decision in the case, the
24 court shall remand the case to the administrative law judge. After hearing the
25 evidence, the administrative law judge may affirm or modify his previous findings of
26 fact and ~~recommended final~~ final decision. The administrative law judge shall forward a
27 ~~copy of his decision to the agency that made the final decision, which in turn may~~
28 ~~affirm or modify its previous findings of fact and final decision.~~ The additional
29 evidence and any affirmation or modification of a ~~recommended decision or final~~
30 decision shall be made part of the official record."

31 Section 11. G.S. 150B-50 reads as rewritten:

32 "**§ 150B-50. Review by superior court without jury.**

33 The review by a superior court of agency administrative decisions under this
34 Chapter shall be conducted by the court without a jury."

35 Section 12. G.S. 150B-51 reads as rewritten:

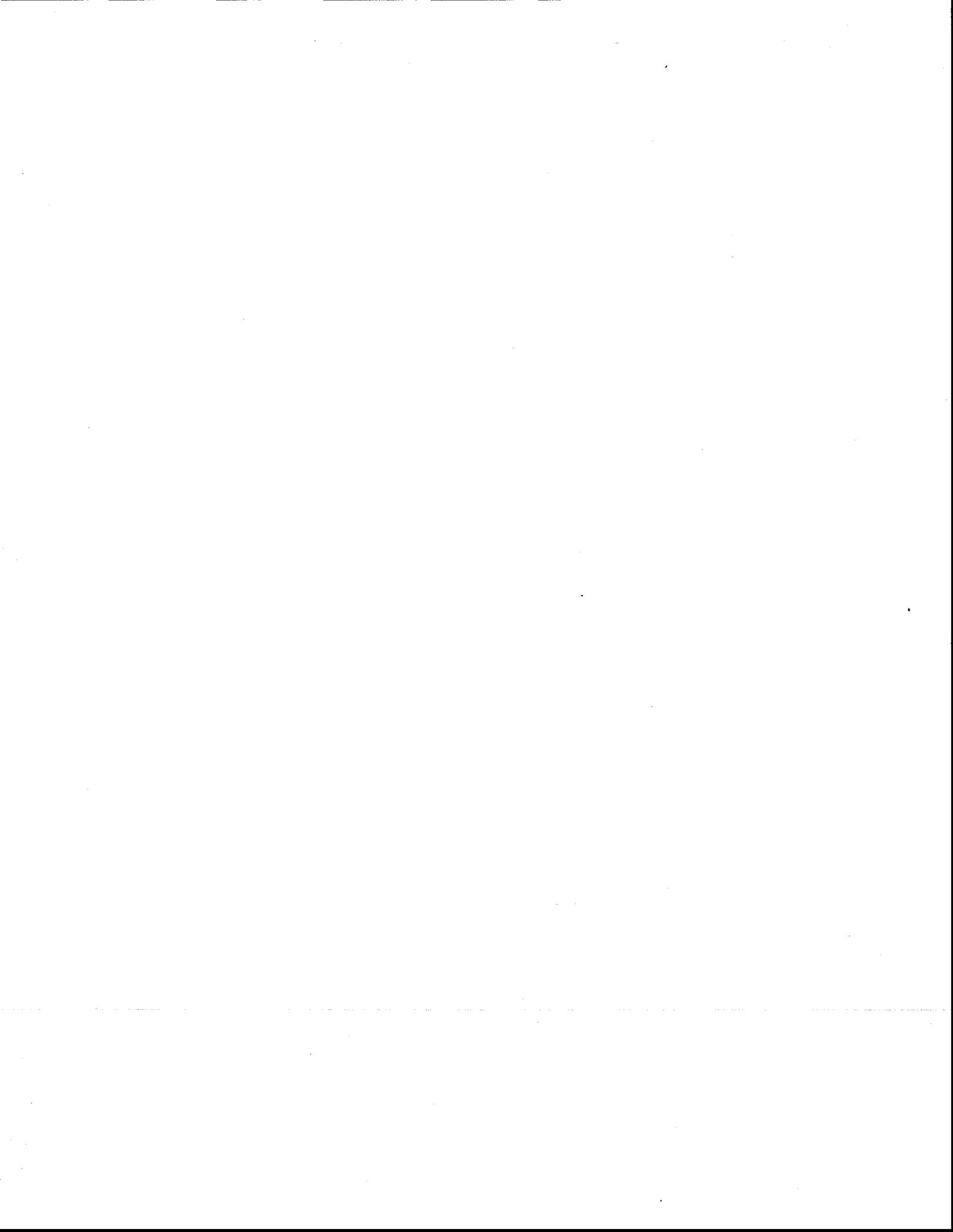
36 "**§ 150B-51. Scope of review.**

37 ~~(a) Initial Determination in Certain Cases. In reviewing a final decision in a~~
38 ~~contested case in which an administrative law judge made a recommended decision,~~
39 ~~the court shall make two initial determinations. First, the court shall determine~~
40 ~~whether the agency heard new evidence after receiving the recommended decision.~~
41 ~~If the court determines that the agency heard new evidence, the court shall reverse~~
42 ~~the decision or remand the case to the agency to enter a decision in accordance with~~
43 ~~the evidence in the official record. Second, if the agency did not adopt the~~
44 ~~recommended decision, the court shall determine whether the agency's decision states~~

1 ~~the specific reasons why the agency did not adopt the recommended decision. If the~~
2 ~~court determines that the agency did not state specific reasons why it did not adopt a~~
3 ~~recommended decision, the court shall reverse the decision or remand the case to the~~
4 ~~agency to enter the specific reasons.~~

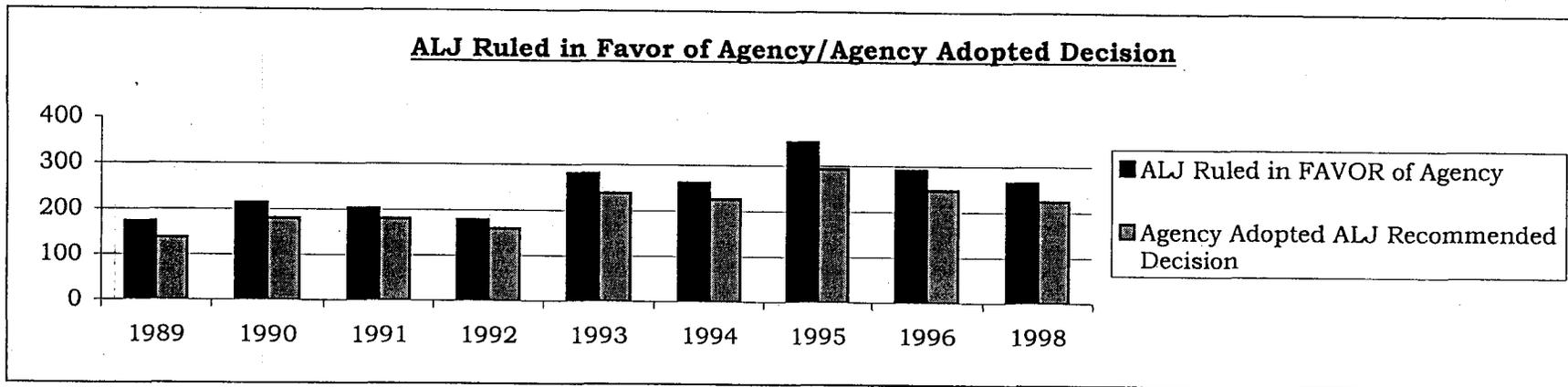
5 ~~(b) Standard of Review. After making the determinations, if any, required by~~
6 ~~subsection (a), the~~ The court reviewing a final decision may affirm the decision of the
7 ~~agency~~ or remand the case for further proceedings. It may also reverse or modify
8 the ~~agency's~~ decision if the substantial rights of the petitioners may have been
9 prejudiced because the ~~agency's~~ findings, inferences, conclusions, or decisions are:
10 (1) In violation of constitutional provisions;
11 (2) In excess of the statutory authority or jurisdiction of the agency;
12 (3) Made upon unlawful procedure;
13 (4) Affected by other error of law;
14 (5) Unsupported by substantial evidence admissible under G.S. 150B-
15 29(a), 150B-30, or 150B-31 in view of the entire record as
16 submitted; or
17 (6) Arbitrary or capricious."

18 Section 13. This act becomes effective January 1, 2000, and applies to
19 contested cases commenced on or after the effective date.

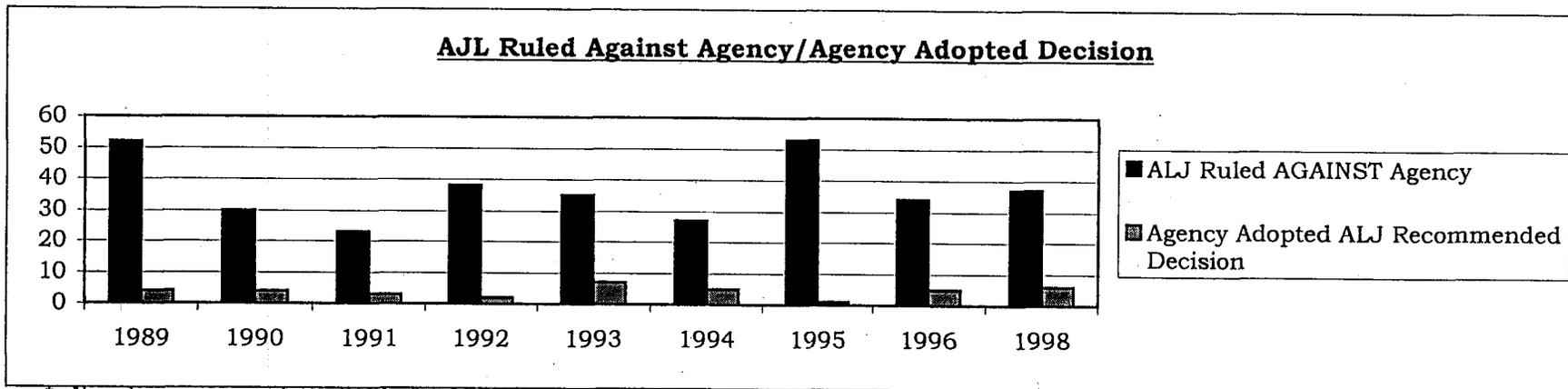


CONTESTED CASE STATISTICS 1989-1998*

<i>CHART I</i>	1989	1990	1991	1992	1993	1994	1995	1996	1998
ALJ Ruled in FAVOR of Agency	172	214	202	178	281	261	351	291	265
Agency Adopted ALJ Recommended Decision	137	180	180	159	238	226	293	247	224



<i>CHART II</i>	1989	1990	1991	1992	1993	1994	1995	1996	1998
ALJ Ruled AGAINST Agency	52	30	23	38	35	27	53	34	37
Agency Adopted ALJ Recommended Decision	4	4	3	2	7	5	1	5	6



* Numbers were not available for 1997.

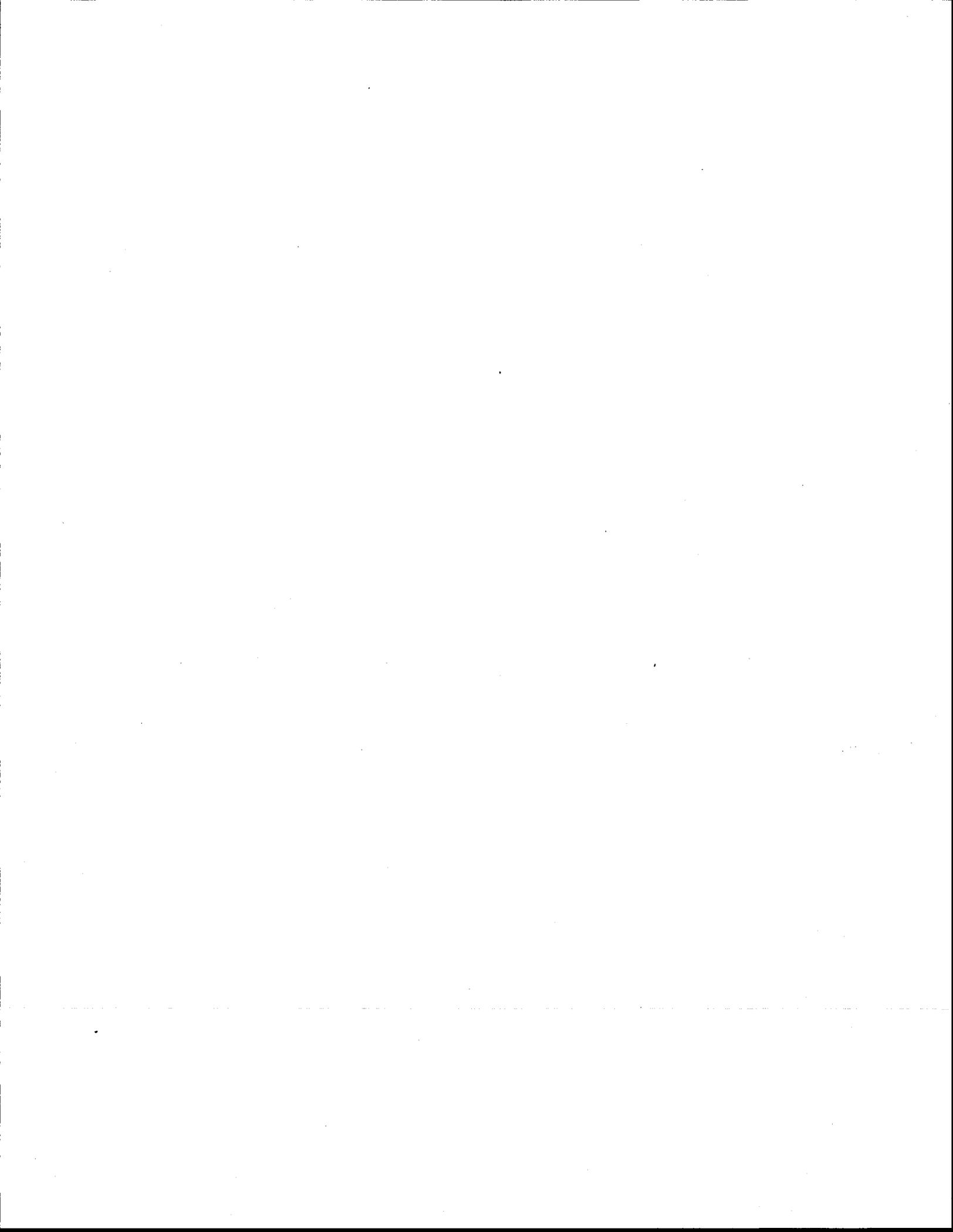
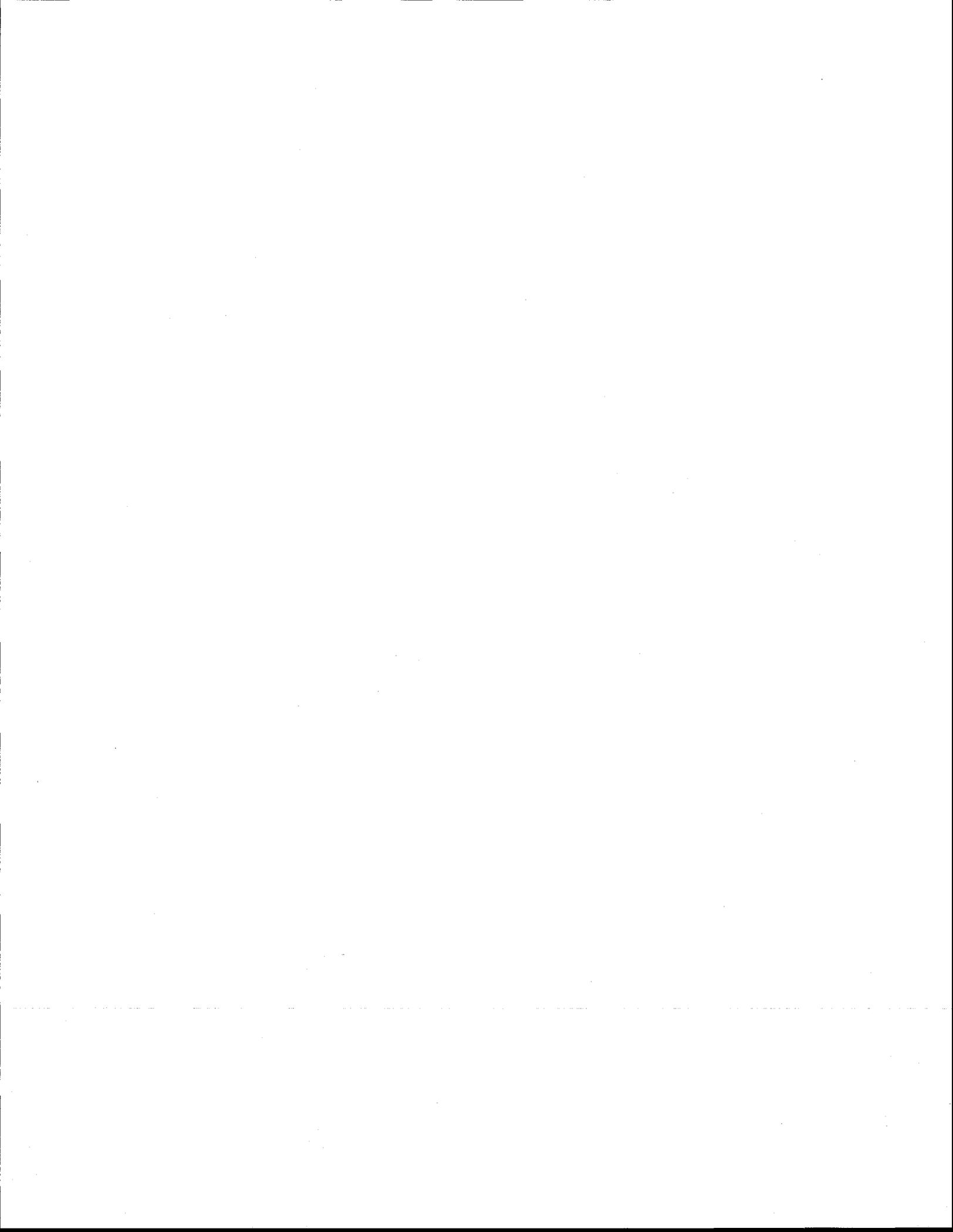


EXHIBIT G

Constitutionality of HB 968





**North Carolina General Assembly
Legislative Services Office**

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April 17, 2000

MEMORANDUM

TO: Karen Cochrane-Brown

FROM: Gerry Cohen, Director of Legislative Drafting

SUBJECT: Final Decisions by ALJ's

I have read the July 6, 1999 AG opinion from Ann Reed, Lars Nance, and Tom Moffitt stating that House Bill 968 violates the separation of powers doctrine, as well as a later article by Tom and Mary Thompson expanding on the opinion.

Upon reviewing the matter at hand, it is my opinion that to grant final decision-making to Administrative Law Judges is reasonably necessary for the purpose for which they were created, and thus assigning that power would not be an unconstitutional grant of quasi-judicial powers and thus would not be the establishment of a court in contravention of the Constitution.

The two documents from the AG's office basically state that the power to decide these contested cases is a quasi-judicial power vested in the executive agency, under the power of Article IV, Section 3 of the Constitution, which states that "The General Assembly may vest in administrative agencies established pursuant to law such judicial powers as may be reasonably necessary as an incident to the accomplishment of the purposes for which the agencies were created. Appeals from administrative agencies shall be to the General Court of Justice.

My initial opinion had been that if the power was exercised by an executive agency (State Personnel), it could also be exercised by another administrative agency (the ALJ's). Upon re-reading the opinion and article, I am convinced that in fact the contested case procedure before State Personnel is quasi-judicial in nature, and a quasi-judicial proceeding can only be assigned by the General Assembly to the Executive Branch "as may be reasonably necessary as an incident to the accomplishment of the purposes for which the agencies were created", which in the case involved relates to personnel issues. Assigning the quasi-judicial power to OAH would not be permitted unless it was "incident to the accomplishment of the purposes for which the agencies were created", because if it was not then the assignment of the powers to ALJ's would be the unconstitutional creation of a new court.

In the case of EMPLOYMENT SEC. COMM'N OF NORTH CAROLINA V. PEACE, 128 N.C. App. 1, 493 S.E.2d (Ct. App. 1997)*, the Court of Appeals stated: "an ALJ's decision with respect to a deferred charge is not a judicial decision, but rather a final agency decision. This becomes apparent upon an

evaluation of the rationale for the creation of OAH. According to the Administrative Procedure Act as originally adopted, 1973 N.C. Sess. Laws ch. 1331, § 150-30(a), the presiding officers for administrative hearings were designated by either an agency itself or by statute. In an effort to obtain nonbiased hearing officers with specialized knowledge of the issues presented, the General Assembly created OAH, an independent, quasi-judicial agency in order to "provide a source of independent hearing officers to preside in administrative cases and thereby prevent the commingling of legislative, executive, and judicial functions in the administrative process." N.C. Gen. Stat. § 7A-750 (1985).⁴ Thus, because OAH was established as part of the executive branch pursuant to N.C. Const. art. III, § 11, it is not a court, and does not function as such when making final agency decisions on charges deferred from EEOC. The holding in the Peace case essentially is that hearing and deciding cases is a purpose incident to the purpose for which OAH was created. Although this may be a classic case of "bootstrapping", it appears to be good law.

* appeal dismissed 349 N.C. 315, 507 S.E.2d 272 (1999). (On 6 January 1998, the ESC petitioned this Court for discretionary review seeking to have this Court determine whether the OAH acted ultra vires when it adjudicated petitioner's title VII claim. Contemporaneously with its petition for discretionary review, ESC {*321} filed with this Court a notice of appeal asserting a substantial constitutional question pursuant to N.C.G.S. § 7A-30(1) as to whether the provisions of N.C.G.S. § 7A-759(d) and (e) violate the provisions of Article IV, Sections 1 and 3 of the North Carolina Constitution. This Court entered an order allowing discretionary review and retaining ESC's notice of appeal; upon review, we conclude this petition was improvidently allowed, and such appeal should be dismissed)

EXHIBIT H

Temporary Rules Adopted Pursuant to SL 99-463



**TEMPORARY RULES ADOPTED PURSUANT TO THE
HURRICANE FLOYD RELIEF ACT**

SL 99-463, Sec. 4

As of 4/19/00

RULE #	TITLE	SUBJECT	EFFECTIVE DATE	EXPIRATION DATE
DEPARTMENT OF AGRICULTURE				
2 NCAC 55 .0101	<i>Purpose</i>	General information governing Hurricane Floyd Recovery Programs for Agriculture rules.	02/01/00	12/31/00
2 NCAC 55 .0102	<i>Availability of Funds</i>		02/01/00	12/31/00
2 NCAC 55 .0103	<i>Definitions</i>		02/01/00	12/31/00
2 NCAC 55 .0104	<i>Expiration</i>		02/01/00	12/31/00
2 NCAC 55 .0201	<i>Eligibility for Assistance</i>	Crop loss and livestock assistance	02/01/00	12/31/00
2 NCAC 55 .0202	<i>Application Procedures</i>		02/01/00	12/31/00
2 NCAC 55 .0203	<i>Maximum Level of Assistance</i>		02/01/00	12/31/00
2 NCAC 55 .0301	<i>Eligibility for Assistance</i>	Structure and equipment loss assistance.	02/01/00	12/31/00
2 NCAC 55 .0302	<i>Application Procedures</i>		02/01/00	12/31/00
2 NCAC 55 .0303	<i>Maximum Level of Assistance</i>		02/01/00	12/31/00
2 NCAC 55 .0401	<i>Eligibility for Assistance</i>	Emergency Conservation Program cost share buy-down.	02/01/00	12/31/00
2 NCAC 55 .0402	<i>Application Procedures</i>		02/01/00	12/31/00
2 NCAC 55 .0403	<i>Maximum Level of Assistance</i>		02/01/00	12/31/00
2 NCAC 55 .0501	<i>Applications for Assistance</i>	Commodity associations and cooperatives assistance	02/01/00	12/31/00
2 NCAC 55 .0502	<i>Eligibility for Assistance</i>		02/01/00	12/31/00
2 NCAC 55 .0503	<i>Level of Assistance</i>		02/01/00	12/31/00
Total Dept. of Agriculture		16		
DEPARTMENT OF COMMERCE				
4 NCAC 1L .0101	<i>Scope</i>	Grants to Small Business Association (SBA) Disaster Home Loan applicants.	02/18/00	01/01/03
4 NCAC 1L .0102	<i>Eligibility</i>		02/18/00	01/01/03
4 NCAC 1L .0103	<i>Benefits</i>		02/18/00	01/01/03
4 NCAC 1L .0104	<i>Procedures for Homeowners</i>		02/18/00	01/01/03

RULE #	TITLE	SUBJECT	EFFECTIVE DATE	EXPIRATION DATE
4 NCAC 1L .0105	<i>Procedures for Counties</i>	Loans and interest rebates to small businesses damaged by Hurricane Floyd.	02/18/00	01/01/03
4 NCAC 1L .0106	<i>Appeal</i>		02/18/00	01/01/03
4 NCAC 1M .0101	<i>Scope</i>		02/18/00	01/01/03
4 NCAC 1M .0102	<i>Eligibility</i>		02/18/00	01/01/03
4 NCAC 1M .0103	<i>Benefits Under the Interest Rebate Program</i>		02/18/00	01/01/03
4 NCAC 1M .0104	<i>Benefits Under NC READE</i>		02/18/00	01/01/03
4 NCAC 1M .0105	<i>Procedures for Interest Rebate for SBA Borrowers</i>		02/18/00	01/01/03
4 NCAC 1M .0106	<i>Procedures for NC READE</i>		02/18/00	01/01/03
4 NCAC 1M .0107	<i>Appeal</i>		02/18/00	01/01/03
Total Department of Commerce		13		
DEPARTMENT OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES (DENR)				
15A NCAC 1C .0505	<i>Non-Major Hurricane Relief Activity</i>	Streamline the breadth and scope of existing State Environmental Policy Act (SEPA) rules to expedite review of activities funded from the Hurricane Floyd Reserve Fund.	02/04/00	01/01/03
15A NCAC 1P .0101	<i>General</i>	Establishes the application procedures, eligibility requirements, and process for disbursement of funds to commercial fishermen for loss or for damages or loss of equipment.	02/04/00	01/01/03
15A NCAC 1P .0102	<i>Definitions</i>		02/04/00	01/01/03
15A NCAC 1P .0103	<i>Application and Eligibility Review Process</i>		02/04/00	01/01/03
15A NCAC 1P .0104	<i>Eligibility Notification – Dispute Process</i>		02/04/00	01/01/03
15A NCAC 1P .0105	<i>Appeals Process</i>		02/04/00	01/01/03
15A NCAC 1Q .0101	<i>Remediation of High-Risk Junkyards & Solid Waste Sites</i>	Establishes criteria for remediating high risk solid waste sites and junkyards in the 100 yr. flood plains in areas affected by Hurricane Floyd.	02/04/00	01/01/03
Total Dept. of Environment and Natural Resources (DENR)		7		
DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS)/SOCIAL SERVICES COMMISSION				
10 NCAC 29C .0203	<i>Benefit Levels</i>	Benefit levels for the Crisis Intervention Program which provides assistance to low-income families with heating and cooling related needs as a result of Hurricane Floyd.	03/13/00	06/30/01

RULE #	TITLE	SUBJECT	EFFECTIVE DATE	EXPIRATION DATE
10 NCAC 29C .0204	<i>Method of Payment</i>	Designates methods of payment for Crisis Intervention Program.	03/23/00	06/30/01
Total Dept. of Health & Human Services/Social Services Commission		2		
DEPARTMENT OF REVENUE				
17 NCAC 10 .0204	<i>Grants to Counties and Cities to Offset Hurricane Losses</i>	Information counties & cities must provide to receive local support grants.	02/24/00	07/01/00
Total Dept. of Revenue		1		
TOTAL ALL AGENCIES		39		